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Washington, Saturday, September 21, 1946

The President

EXECUTIVE ORDER 9780

EXEMPTION OF CERTAIN OFFICERS OF THE EXECUTIVE BRANCH OF THE GOVERNMENT FROM COMPULSORY RETIREMENT FOR AGE

NOTE: Executive Order No. 9780, filed with the Division of the Federal Register as F. R. Doc. 46–17078, on September 19, 1946, at 2:23 p. m., exempted the following officers of the executive branch of the Government from compulsory retirement for age: Clyde B. Aitchison, Commissioner, Interstate Commerce Commission; William A. Ayres, Chairman, Federal Trade Commission; Ewin L. Davis, Commissioner, Federal Trade Commission; Claude L. Draper, Commissioner, Federal Trade Commission; E. Dana Durand, Commissioner, United States Tariff Commission; Phillips L. Goldsborough, Director, Federal Deposit Insurance Corporation; Samuel B. Hill, Judge, Tax Court of the United States; Luther A. Johnson, Judge, Tax Court of the United States, and Harry H. Schwartz, Member, National Mediation Board.

EXECUTIVE ORDER 9781

ESTABLISHING THE AIR COORDINATING COMMITTEE

By virtue of the authority vested in me as President of the United States, and in order to provide for the fullest development and coordination of the aviation policies and activities of the Federal agencies, and in the interest of the internal management of the Government, it is hereby ordered as follows:

1. (a) There is hereby established the Air Coordinating Committee (hereinafter referred to as the Committee) which shall have as members one representative from each of the following-named agencies (hereinafter referred to as the participating agencies): the State, War, Post Office, Navy, and Commerce Departments and the Civil Aeronautics Board. The members shall be designated by the respective heads of the participating agencies. The President shall name one of the members as the Chairman of the Committee. The Director of the Bureau of the Budget shall designate a representative of the Bureau as a non-voting member of the Committee.

(b) Each officer or body authorized under subparagraph 1 (a) hereof to designate a member of the Committee shall also designate one or more alternate members, as may be necessary.

(c) The Committee shall establish procedures to provide for participation, including participation in voting, by a representative of any agency not named in subparagraph 1 (a) hereof in connection with such aviation matters as are of substantial interest to that agency.

2. The Committee shall examine aviation problems and developments affecting more than one participating agency; develop and recommend integrated policies to be carried out and actions to be taken by the participating agencies or by any other Government agency charged with responsibility in the aviation field; and, to the extent permitted by law, coordinate the aviation activities of such agencies except activities relating to the exercise of quasi-judicial functions.

3. The Committee shall consult with Federal interagency boards and committees concerned in any manner with aviation activities; and consult with the representatives of the United States to the Provisional International Civil Aviation Organization or to the permanent successor thereof and recommend to the Department of State general policy directives and instructions for the guidance of the said representatives.

4. The Committee, after obtaining the views of the head of each agency concerned, shall submit to the President, together with the said views, (a) such of the Committee's recommendations on aviation policies as require the attention of the President by reason of their character or importance, (b) those important aviation questions the disposition of which is prevented by the inability of the agencies concerned to agree, (c) an annual report of the Committee's activities during each calendar year, to be submitted not later than January 31 of the next succeeding year, and (d) such interim reports as may be necessary or desirable.

5. The heads of the participating agencies shall cause their respective agencies to use the facilities of the Committee in all appropriate circumstances

(Continued on p. 10647)

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THE PRESIDENT

REGULATIONS AND NOTICES

FEDERAL REGISTER

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Documents carried in the Cumulative Supplement by uncodified tabulation only are not included within the purview of this list.

[1] See Title 15, Subtitle A, Part 12.

CODIFICATION GUIDE—Continued

and, consonant with law, to provide the Committee with such personnel assistance as may be necessary.

HARRY S. TRUMAN

THE WHITE HOUSE,
September 19, 1946.

[F. R. Doc. 46-17142; Filed, Sept. 19, 1946; 4:11 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders)

[Lemon Reg. 193, Amdt. 1]

PART 953—LEMONS GROWN IN THE STATES OF CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

Pursuant to Marketing Agreement No. 94 and Order No. 53 (7 CFR, Cum. Supp. 953.1 et seq.), regulating the handling of lemons grown in the State of California or in the State of Arizona, and the applicable provisions of the Agricultural Marketing Agreement Act, 1937, as amended (48 Stat. 31, 670, 675; 49 Stat. 757; 50 Stat. 746; 7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said marketing agreement and order, and upon other available information, Lemon Regulation 193 (11 F. R. 10261), effective September 15, 1946, is hereby amended as follows:

1. By deleting the phrase "275 carloads" and inserting, in lieu thereof, the phrase "325 carloads".

It is hereby found that such limitation of the quantity of lemons which may be handled during the period beginning at 12:01 a. m., P. s. t., September 15, 1946, and ending 12:01 a. m., P. s. t., September 22, 1946, will tend to effectuate the declared policy of the act.

It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Public Law 404, 79th Cong., 2d Sess.) is impracticable and contrary to the public interest in that the time intervening between the date the information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

Done at Washington, D. C., this 17th day of September 1946.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 46-16966; Filed, Sept. 20, 1946; 8:50 a. m.]

[Lemon Reg. 194]

PART 953—LEMONS GROWN IN THE STATES OF CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.301 *Lemon Regulation 194*—(a) *Findings.* (1) Pursuant to the marketing agreement and the order (7 CFR, Cum. Supp., 953.1 et seq.), regulating the handling of lemons grown in the State of California or in the State of Arizona, and the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., September 22, 1946, and ending at 12:01 a. m., P. s. t., September 29, 1946, is hereby fixed at 275 carloads, or an equivalent quantity.

(2) The prorate base of each handler who has made application therefor, as provided in the said marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached to Lemon Regulation 193 (11 F. R. 10261) and made a part hereof by reference. The Lemon Administrative Committee, in accordance with the provisions of the said marketing agreement and order, shall calculate the quantity of lemons which may be handled by each such handler during the period specified in subparagraph (1) of this paragraph.

(3) As used in this section, "handled," "boxes," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such word in the said marketing agreement and order.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 19th day of September 1946.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 46-17089; Filed, Sept. 20, 1946; 9:29 a. m.]

[Orange Reg. 155]

PART 966—ORANGES GROWN IN THE STATES OF CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 966.301 *Orange Regulation 155*—(a) *Findings.* (1) Pursuant to the provisions of the order (7 CFR, Cum. Supp., 966.1 et seq.) regulating the handling of oranges grown in the State of California or in the State of Arizona, issued under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendation and information submitted by the Orange Administrative Committee, established under the said order, and upon other available information, it is hereby found that the limitation of the quantity of such oranges which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that compliance with the notice, public rule making procedure, and effective date requirements of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 2d Sess.; 60 Stat. 237) is impracticable and contrary to the public interest in that the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as amended, is insufficient for such compliance.

(b) *Order.* (1) The quantity of oranges grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., September 22, 1946, and ending at 12:01 a. m., P. s. t., September 29, 1946, is hereby fixed as follows:

(i) *Valencia oranges.* (*a*) Prorate District No. 1, zero (0) carloads; (*b*) Prorate District No. 2, 1,450 carloads; and (*c*) Prorate District No. 3, zero (0) carloads.

(ii) *Oranges other than Valencia oranges.* Prorate Districts Nos. 1, 2, and 3, zero (0) carloads.

(2) The prorate base of each handler who has made application therefor, as provided in the said order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference. The Orange Administrative Committee, in accordance with the provisions of the said order, shall calculate the quantity of oranges which may be handled by

each such handler during the period specified in subparagraph (1) of this paragraph.

(3) As used herein, "handled," "handler," "carloads," and "prorate base" shall have the same meaning as is given to each such term in the said order; and "Prorate District No. 1," "Prorate District No. 2," and "Prorate District No. 3" shall have the same meaning as is given to each such term in § 966.107 of the rules and regulations (11 F. R. 10258) issued pursuant to said order.

(48 Stat. 31, 670, 675; 49 Stat. 750; 50 Stat. 246; 7 U. S. C. 601 et seq.)

Done at Washington, D. C., this 19th day of September 1946.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

(Orange Regulation 155)

12:01 a. m. Sept. 22, 1946 to 12:01 a. m. Sept. 29, 1946

Valencia Oranges

Prorate District No. 2

Handler	Prorate base, percent
Total	100.0000
American Fruit Growers, Inc.:	
A. F. G. Alta Loma	.0000
A. F. G. Escondido	.0000
A. F. G. Fullerton	.0000
A. F. G. Orange	.0000
A. F. G. Redlands	.3395
A. F. G. Riverside	.0000
A. F. G. San Juan Capistrano	.0000
A. F. G. Santa Paula	.4987
Corona Plantation	.0000
Hazeltine Packing Co	.2640
Signal Fruit Ass'n	.1306
Total A. F. G.	1.2328
California Fruit Growers Exch.—A. C. G. Exchange:	
Azusa Citrus Ass'n	.2893
Azusa Foothill Citrus Co	.2638
Azusa Orange Co., Inc	.1973
Damerel-Allison Co	1.0871
Duarte Foothill Citrus Ass'n	.1516
Glendora Mutual Orange Ass'n	.5088
Irwindale Citrus Ass'n	.3187
Puente Mutual Citrus Ass'n	.2591
Valencia Heights Orchard Ass'n	.4246
	3.5003
Covina Fruit Exchange:	
Covina Citrus Ass'n	1.1645
Covina Orange Growers Ass'n	.4787
Duarte-Monrovia Fruit Exchange	.0000
	1.6432
Glendora Fruit Exchange:	
Glendora Citrus Ass'n	.4048
Glendora Hts. O. & L. Grs. Ass'n	.0000
	.4048
Gold Buckle Fruit Exchange:	
Gold Buckle Ass'n	.7673
La Verne Orange Ass'n.:	
La Verne Orange Ass'n	.8420
Northern Orange Co. Fruit Exch.:	
Anaheim Citrus Fruit Ass'n	1.0213
Anaheim Valencia Orange Ass'n	1.0046
Eadington Fruit Co., Inc	1.8055
Fullerton Mutual Orange Ass'n	1.3061
La Habra Citrus Ass'n	1.3084
Orange County Val. Ass'n	.2255
Orangethorpe Citrus Ass'n	.7894
Placentia Coop. Orange Ass'n	.8094
Yorba Linda Citrus Ass'n, The	.5861
	8.8563
Ontario-Cucamonga Fruit Exch.:	
Alta Loma Heights Citrus Ass'n	.2094
Citrus Fruit Growers	.2136
Cucamonga Citrus Ass'n	.2567
Etiwanda Citrus Fruit Ass'n	.0705
Mountain View Fruit Ass'n	.0022
Old Baldy Citrus Ass'n	.1741
Rialto Heights Orange Grs	.1339
Upland Citrus Ass'n	.5053
Upland Heights Orange Ass'n	.1989
	1.7646
Orange County Fruit Exchange:	
Consolidated Orange Grs	2.2050
Frances Citrus Ass'n	1.0579
Garden Grove Citrus Ass'n	1.3904
Goldenwest Citrus Ass'n., The	1.3644
Irwine Valencia Growers	2.5897
Olive Heights Citrus Ass'n	1.7837
Santa Ana-Tustin Mutual Cit. Ass'n	1.0745
Santiago Orange Grs. Ass'n	4.2571
Tustin Hills Citrus Ass'n	2.4400
Villa Park Orchard Ass'n., The	1.7248
	19.8875
Placentia Orange Co. Fruit Exch.:	
Bradford Brothers, Inc	.5162
Placentia Mutual Orange Ass'n	1.5170
Placentia Orange Growers Ass'n	2.0635
	4.0967
Queen Colony Fruit Exchange:	
Call Ranch	.0760
Corona Citrus Ass'n	.5878
Jameson Company	.0000
Orange Heights Orange Ass'n	.3891
	1.0529
Redlands-Highland Fruit Exchange:	
Break & Son, Allen	.0000
Bryn Mawr Fruit Growers Ass'n	.3243
Crafton Orange Growers Ass'n	.4466
East Highlands Citrus Ass'n	.1332
Fontana Citrus Ass'n	.1266
Highland Fruit Growers Ass'n	.0000
Krinard Packing Company	.0000
Mission Citrus Ass'n	.0000
Redlands Coop. Fruit Ass'n	.5552
Redlands Heights Groves	.4037
Redlands Orange Growers Ass'n	.3554
Redlands Orangedale Ass'n	.4684
Redlands Select Groves	.2310
Rialto Citrus Ass'n	.0000
Rialto Orange Co	.2556
Southern Citrus Ass'n	.3089
United Citrus Growers	.0000
Zilen Citrus Company	.0000
	3.6089
Riverside-Arlington Heights Exch.:	
Arlington Heights Fruit Co	.1226
Brown Estate, L. V. W	.0000
Gavilan Citrus Ass'n	.2122
Hemet Mutual Groves	.0000
Highgrove Fruit Ass'n	.0889
McDermont Fruit Co	.2229
Mentone Heights Ass'n	.0732
Monte Vista Citrus Ass'n	.3003
National Orange Co	.0000
Riverside-Arlington Heights Exch.—Continued.	
Riverside Heights Orange Grs. Ass'n	.0788
Sierra Vista Packing Ass'n	.0000
Victoria Ave. Citrus Ass'n	.2208
	1.3197
San Antonio Fruit Exchange:	
Claremont Citrus Ass'n	.1923
College Heights O. & L. Ass'n	.3052
El Camino Citrus Ass'n	.1363
Indian Hill Citrus Ass'n	.2704
Pomona Fruit Growers Exch	.5768
Walnut Fruit Growers Ass'n	.5943
West Ontario Citrus Ass'n	.5336
	2.6089
San Diego County Fruit Exch.:	
El Cajon Valley Citrus Ass'n	.0000
Escondido Orange Ass'n	3.1955
	3.1955
San Dimas Fruit Exchange:	
San Dimas Orange Grs. Ass'n	.5684
Santa Barbara Citrus Exch.:	
Santa Barbara Orange Ass'n	.0000
Semi-Tropic Fruit Exchange:	
Ball & Tweedy Ass'n	.7910
Canoga Citrus Ass'n	1.1374
North Whittier Heights Cit. Ass'n	1.0119
San Fernando Fruit Grs. Ass'n	.6995
San Fernando Heights Orange Ass'n	1.4380
Sierra Madre-Lamanda Citrus Ass'n	.2717
Sunny Hills Ranch, Inc	.4054
	5.7549
Ventura County Citrus Exchange:	
Camarillo Citrus Ass'n	2.2192
Fillmore Citrus Ass'n	3.7436
Mupu Citrus Ass'n	3.6252
Ojai Orange Ass'n	1.2302
Piru Citrus Ass'n	1.6522
Santa Paula Orange Ass'n	1.4259
Tapo Citrus Ass'n	.9808
	14.8771
Ventura County Fruit Exch.:	
Limoneira Company	.7337
Whittier District Fruit Exch.:	
East Whittier Citrus Ass'n	.5173
El Ranchito Citrus Ass'n	1.2808
Murphy Ranch Company	.3944
Rivera Citrus Ass'n	.5750
Whittier Citrus Ass'n	.6373
Whittier Select Citrus Ass'n	.5510
	3.9558
Total C. F. G. E.	79.4285
Mutual Orange Distributors:	
Anaheim Coop. Orange Ass'n	1.0795
Bryn Mawr Mutual Orange Ass'n	.0000
Chula Vista Lemon Ass'n	.0000
Escondido Coop. Citrus Ass'n	.3944
Euclid Avenue Orange Ass'n	.4296
Foothill Citrus Union, Inc	.0495
Fullerton Coop. Orange Ass'n	.0000
Garden Grove Orange Coop., Inc	.6572
Glendora Coop. Citrus Ass'n	.0312
Golden Orange Groves, Inc	.4520
Highland Mutual Groves	.0263
Index Mutual Ass'n	.1702
La Verne Coop. Citrus Ass'n	1.4001
Olive Hillside Groves	.7921
Orange Coop. Citrus Ass'n	1.0058
Redlands Foothill Groves	.6685
Redlands Mutual Orange Ass'n	.1685
Riverside Citrus Ass'n	.0000

Handler	*Prorate base, percent*
Mutual Orange Distributors—Continued.	
Ventura Co. O. & L. Ass'n	1.0669
Whittier Mutual O. & L. Ass'n	.2139
Total M. O. D	8.6057
Miscellaneous unaffiliated:	
Babijuice Corp. of Calif	.0000
Banks Fruit Company	.2455
Banks, L. M	.0000
Borden Fruit Company	.0000
California Fruit Distrs	.0000
Cherokee Citrus Co., Inc	.0000
Chess Co., Meyer W	.5023
El Modena Citrus, Inc	.9808
Escondido Avocado Growers	.0000
Evans Brothers Packing Co	.0000
Furr, N. C., Company	.0268
Gold Banner Ass'n	.0000
Granada Hills Packing Co	.0931
Granada Packing House	2.2087
Hill, Fred A	.0912
Inland Fruit Dealers, Inc	.0899
Montgomery, Jr., C. R	.0918
Orange Belt Fruit Distrs	2.2096
Panno Fruit Co., Carlo	.0000
Paramount Citrus Ass'n	.4786
Placentia Orchard Co	.4262
Placentia Pioneer Val. Grs. Ass'n	.6543
San Antonio Orchards Co	.5029
Snyder & Sons Co., W. A	.7175
Verity & Sons, Co., R. H	.0481
Wall, E. T	.0000
Webb Packing Company	.0000
Western Fruit Grs., Inc., Anaheim	.0705
Western Fruit Grs., Inc., Redlands	.9942
Yorba Orange Growers Ass'n	.3010
Total miscellaneous unaffiliated	10.7330

[F. R. Doc. 46-17146; Filed, Sept. 20, 1946; 9:11 a. m.]

Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 10, Amdt. 18]

PART 1432—RICE

SET-ASIDE REQUIREMENTS AND RESTRICTIONS ON DISTRIBUTION AND MILLING OF RICE

War Food Order No. 10, as amended (11 F. R. 3993, 5105, 5995) is hereby further amended to read as follows:

§ 1432.1 *Set-aside Requirements and restrictions on distribution and milling of rice*—(a) *Definitions.* (1) "Miller" means any person who mills more than 500 barrels of rough rice in any calendar month. When a person qualifies as a miller in any calendar month he shall thereafter be deemed to be a miller subject to all of the restrictions of this order until released therefrom by the Administrator upon a showing that he does not mill or intend to mill more than 500 barrels of rough rice in any calendar month and subject to reclassification as a miller if he subsequently mills more than 500 barrels of rough rice in any calendar month.

(2) "Rough rice" means the commodity defined as such by the "United States Standards for Rough Rice," as amended May 15, 1942.

(3) "Brown rice" means the commodity defined as such by the "United States Standards for Brown Rice," as amended May 15, 1942.

(4) "Milled rice" means the commodity defined as such by the "United States Standards for Milled Rice," as amended September 4, 1946.

(5) "Mill" means to convert rough rice into brown or milled rice.

(6) "Delivery" means the physical transfer of rice from a miller to a buyer. The transfer of rice by a miller to a truck, a railroad car, ship, or other vehicle for transportation to the buyer, regardless of the ownership or control of the vehicle being used for such transportation, shall constitute a delivery.

(7) "Barrel" means 162 pounds.

(8) "Deliveries into civilian channels" means all deliveries of rice except deliveries to a governmental agency, or to other persons under set-aside credit as provided in (c).

(9) "Governmental agency" means the Army, Navy, Marine Corps, or Coast Guard of the United States (excluding for the purposes of this order, United States Army post exchanges, United States Navy ships' service departments, United States Marine Corps post exchanges, and similar organizations), the United States Department of Agriculture (including, but not restricted to, any corporate agency thereof), the United States Maritime Commission, any approved ship supplier designated as such by the United States Maritime Commission or by the War Shipping Administration, the Veterans' Administration, or any other instrumentality or agency designated by the Secretary of Agriculture.

(10) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(11) "Administrator" means the Administrator, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C.

(12) "Order Administrator" means the Administrator of War Food Order No. 10, United States Department of Agriculture, Washington 25, D. C.

(13) "Secretary of Agriculture" means the Secretary of Agriculture, United States Department of Agriculture, Washington 25, D. C.

(14) "Commodity Credit Corporation" means the Commodity Credit Corporation, United States Department of Agriculture, Washington 25, D. C.

(b) *Set-aside requirements and restrictions applicable to millers.* (1) Beginning September 1, 1946 every miller shall set aside in each calendar month for sale and delivery to a governmental agency milled rice of one or more of the grades 1 to 6, including the special grades unpolished milled rice and parboiled milled rice, and of the classes I to XII, all inclusive, in an amount equal to 40 percent of the total combined quantity of brown and milled rice milled by him during such month.

(2) Beginning October 1, 1946 no miller shall make any deliveries of brown or milled rice into civilian channels in any calendar month unless: (i) he has set aside in each preceding calendar month after August, 1946 the quantity and quality of milled rice required by (b) (1); (ii) not later than the second business day of each calendar month after September, 1946 he offers to sell and deliver to Commodity Credit Corporation (in 100 pound bags of a type and quality specified by said Corporation in its rice purchase announcements issued from time to time and otherwise in accordance with the terms and conditions stated in such announcements) all milled rice required by (b) (1) to be set aside in the preceding month, less any quantities of such rice delivered during such preceding month to governmental agencies, or to persons other than governmental agencies for set-aside credit as provided in (c), and (iii) he has delivered to Commodity Credit Corporation in accordance with the offer required by (b) (2) (ii) all rice offered to and accepted by said Corporation for which the delivery period determined as provided in said rice purchase announcements has passed: *Provided*, That if the quantity of rice to be offered to Commodity Credit Corporation under (b) (2) (ii) by the second business day of any calendar month constitutes less than a carload lot, it shall be held in inventory and shall be added to the quantity otherwise required to be offered to said Corporation by the second business day of the following month.

(3) After September 19, 1946 no miller shall in any calendar month use any device or process in the milling or other processing of rice which has the effect of causing milled rice so produced to come within a grade lower than the grades specified in (b) (1) unless he has set aside for sale and delivery to a governmental agency the quantity and quality of rice required by (b) (1) to be set aside in such month and unless thereafter as provided in (b) (2) he offers to sell and deliver and does deliver the quantity and quality of rice specified in (b) (2) (ii).

(4) No miller, on any day when the quantity of milled rice set aside by him under this order and prior amendments thereof, for all full calendar months preceding such day but after July 31, 1945, and held by him in inventory for sale to a governmental agency, plus the quantity of rice delivered by him under credit against the set-aside requirements made by this order and prior amendments thereof for such preceding months, is less than the quantity of rice required by this order and prior amendments thereof to be set aside for such preceding months, shall after September 19, 1946: (i) use any device or process in the milling or other processing of rice which has the effect of causing milled rice so produced to come within a grade lower than the grades specified in (b) (1); (ii) produce any brown rice except in the performance of a contract with a governmental agency; (iii) deliver any brown rice or any milled rice of a grade and class required to be set aside by (b) (1) to any person who at the time of delivery is not entitled to receive set-aside rice under this order; (iv) pack any rice of the grades and classes specified in (b) (1) in other than 100-pound bags of a type and quality specified from time to time by Commodity Credit Corporation in its rice purchase announcements, except that rice under contract at the time of packing for delivery as a credit against the set-aside requirements of

this order may be packed in accordance with such contract.

(c) *Credits against set-aside requirements and exemptions.* (1) Deliveries in any calendar month by any miller in the State of California to persons other than governmental agencies of brown and milled rice for shipment to Puerto Rico, the Virgin Islands, and Hawaii may be credited against the set-aside requirements of (b) (1) for such month in an amount not exceeding 25 percent of the total quantity of brown and milled rice milled by such miller during such month, and deliveries in any calendar month by any miller in any State other than California to such persons of brown and milled rice for shipment to Puerto Rico, the Virgin Islands, and Hawaii may be credited against the set-aside requirements of (b) (1) for such month in an amount not exceeding 15 percent of the total quantity of brown and milled rice milled by such miller during such month

(2) The Administrator may upon application of any miller authorize such miller to deliver brown or milled rice to persons other than governmental agencies and to credit such deliveries against the quantity of milled rice required to be set aside under (b) (1) when satisfactory evidence is submitted to the Administrator that the brown or milled rice so delivered is to be subsequently delivered to governmental agencies in the form of rice or a product thereof.

(3) Deliveries to governmental agencies of grades and classes of brown and milled rice other than those specified in (b) (1) may be credited against the quantity of milled rice required to be set aside under (b) (1) if such deliveries are accepted by the governmental agencies and are made in the month for which the credit is claimed.

(4) The restrictions contained in this order shall not apply to rice owned by any individual for use in his own household.

(d) *Reports required.* (1) Every person who mills rough rice (except such rice as is exempted from restriction by (c) (4)), whether or not in excess of 500 barrels in any calendar month, shall mail to the Order Administrator prior to the 10th day of each calendar month (on a form furnished by the Order Administrator) a report for the preceding calendar month showing: (i) the quantity of rough rice milled by him; (ii) the quantities of brown and milled rice produced by him; (iii) the quantity of brown and milled rice shipped by him first, to governmental agencies; second, to export trade; and third, to the domestic civilian trade; (iv) the total quantities of brown and milled rice shipped by him to Puerto Rico, the Virgin Islands, and Hawaii, and the quantities so shipped for which set-aside credit is claimed; (v) the quantity of milled rice set aside for governmental agencies which remains unshipped at the end of the month for which the report is made; and (vi) a computation of his set-aside position to show the status of his compliance with this order at the end of the month for which the report is made.

(2) Every person subject to this order shall, for at least two years (or for such other period of time as the Administrator may designate), maintain an accurate record of his production of and transactions in rice.

(3) The Administrator shall be entitled to obtain such other information from and require such other reports and the keeping of such other records by any person as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order subject to the approval of the Bureau of the Budget.

(e) *Audits and inspections.* The Administrator shall be entitled to make such audit or inspection of the books, records, and other writings, premises, or stocks of rice of any person and to make such investigations as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(f) *Contracts.* The provisions of this order and all orders or regulations issued pursuant thereto shall be observed without regard to contracts heretofore or hereafter made or any rights accrued or payments made thereunder.

(g) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition for relief with the Order Administrator. Petitions shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Administrator. If the petitioner is dissatisfied with the action taken by the Order Administrator, he may, by request addressed to the Order Administrator, obtain a review of such action by the Administrator. After said review, the Administrator may take such action as he deems appropriate, which action shall be final.

(h) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using rice. Any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Civil action may also be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provisions of this order.

(i) *Delegation of authority.* The Administration of this order and the powers vested in the Secretary of Agriculture, insofar as such powers relate to the administration of this order, are hereby delegated to the Administrator. The Administrator is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(j) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise provided, be addressed to the Administrator, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C.

(k) *Territorial Scope.* This order shall apply within the 48 States and the District of Columbia.

(l) *Effective Date.* Except insofar as other effective dates are specified herein, the provisions of this order shall become effective as of 12:01 a. m., e. s. t., September 19, 1946. With respect to violations, rights accrued, liabilities incurred, or appeals taken under the provisions of War Food Order No. 10 as amended prior to said dates, all such provisions shall be deemed to remain in full force for the purpose of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

NOTE: All reporting and record-keeping requirements of this order have been approved by, and all subsequent reporting and record-keeping requirements will be subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E. O. 9280, December 5, 1942, 7 F. R. 10179; E. O. 9577, June 29, 1945, 10 F. R. 8087; Sec. 2 (a), 54 Stat. 676, as amended, 50 U. S. C. War App. Sup. 1152 (a))

Issued this 17th day of September 1946.

[SEAL] CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

[F. R. Doc. 46-17032; Filed, Sept. 20, 1946; 8:53 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 41-2]

PART 41—CERTIFICATION AND OPERATION RULES FOR SCHEDULED AIR CARRIER OPERATIONS OUTSIDE THE CONTINENTAL LIMITS OF THE UNITED STATES

CLARIFICATION OF DEFINITION OF EFFECTIVE LENGTH OF LANDING AREA

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 13th day of September 1946.

Effective September 13, 1946, § 41.2731 of the Civil Air Regulations is amended by striking the word "airport" and inserting in lieu thereof the word "runway."

(52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46-16964; Filed, Sept. 20, 1946; 8:54 a. m.]

[Civil Air Regs., Amdt. 61-1]

PART 61—SCHEDULED AIR CARRIER RULES

CLARIFICATION OF DEFINITION OF EFFECTIVE LENGTH OF LANDING AREA

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 13th day of September 1946.

Effective September 13, 1946, § 61.7124 of the Civil Air Regulations is amended by striking the word "field" and inserting in lieu thereof the word "runway."

(52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Civil Aeronautics Board:

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46-16965; Filed, Sept. 20, 1946; 8:54 a. m.]

[Reqs., Serial No. 377]

PART 228—FREE AND REDUCED-RATE TRANSPORTATION

FREE TRAVEL FOR POSTAL EMPLOYEES

Adopted by the Civil Aeronautics Board at its office in Washington, D. C. on the 16th day of September 1946. (Amendment No. 8 of § 228.1 of the Economic Regulations.)

The Civil Aeronautics Board, acting pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 205 (a) and 405 (m) thereof, hereby makes and promulgates the following regulation; finds that notice and public procedure thereon are unnecessary for the reason that such regulation is occasioned by reorganization of air postal offices within the Post Office Department and involves merely minor and technical amendment of existing authorizations which do not affect the general public; and finds that such regulation shall take effect in less than thirty days after publication thereof in order that the authorizations provided therein will be consistent with changes effected by such reorganization:

Effective immediately, subparagraphs (3), (4) and (5) of paragraph (a) of § 228.1 of the Economic Regulations are amended to read as follows:

(3) The Assistant Postmaster General who at the time is charged with the duty of the general management of post offices; the Assistant Postmaster General who at the time is assigned the supervision of Air Postal Transport, his Confidential Assistant, his Under Second Assistant, and his four Deputy Second Assistants; the Solicitor and the Assistant Solicitor of the Post Office Department.

(4) The Director of Domestic Air Postal Transport and the Director of Foreign Air Postal Transport.

(5) The five Regional Superintendents, and the five Assistant Regional Superintendents, Air Postal Transport, located respectively at New York, N. Y., Chicago, Ill., San Francisco, Calif., Atlanta, Ga., and Fort Worth, Texas.

(Secs. 205 (a) and 405 (m), 52 Stat. 984 and 997, 49 U. S. C., 425 (a) and 485)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 46-16963; Filed, Sept. 20, 1946; 8:53 a. m.]

TITLE 15—COMMERCE

Subtitle A—Office of the Secretary of Commerce

PART 12—DELEGATIONS OF AUTHORITY

COLLECTION OF FEES BY ADMINISTRATOR OF CIVIL AERONAUTICS

§ 12.12 *Delegation of authority to the Administrator of Civil Aeronautics to collect fees.* Pursuant to Public Law 818, 77th Congress (5 U. S. C. 606) the Administrator of Civil Aeronautics and his duly authorized agents are hereby designated as representatives of the Secretary of Commerce for the purpose of collecting all fees or charges assessed by this Department for services performed or publications furnished by the Civil Aeronautics Administration, pursuant to such approved schedules as the Secretary shall authorize. The proceeds of such collection shall be covered into the Treasury of the United States as miscellaneous receipts as provided in the Act.

[SEAL] H. A. WALLACE *Secretary of Commerce.*

SEPTEMBER 13, 1946.

[F. R. Doc. 46—16960; Filed, Sept. 20, 1946; 8:52 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VI—Federal Public Housing Authority

PART 603—FINAL DELEGATIONS OF AUTHORITY

DELEGATIONS TO CENTRAL OFFICE OFFICIALS

SEPTEMBER 12, 1946.

Section 603.1 (11 F. R. 177A-900) is amended by adding paragraph (s) thereto as follows:

§ 603.1 *Delegations to Central Office Officials.* * * *

(s) *Director of the Priorities and Materials Survey Division.* The Director of the Priorities and Materials Survey Division is delegated the power:

(1) Pursuant to CPA Directive 42, as amended, NHA General Order 21-33B, CPA Priority Regulation 33, as amended, and in consideration of CPA Order VHP-1, to process and approve applications and supplemental applications for authorization of construction and assignment of HH preference ratings, and to exercise such other powers and assume such responsibilities as are set forth in CPA Directive 42 and PR-33, except in connection with appeals.

(2) To allocate to regional offices or contractors items of equipment manufactured and earmarked specifically for FPHA temporary reuse projects.

JOHN TAYLOR EGAN, *Acting Commissioner.*

[F. R. Doc. 46-16967; Filed Sept. 20, 1946; 8:53 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter VI—Selective Service System

[State Director Advice No. 339]

PART 672—STATE DIRECTOR ADVICES

ENLISTMENT IN ARMED FORCES PRIOR TO OCT. 6, 1946, AND BENEFITS UNDER "GI BILL OF RIGHTS"

Pursuant to the provisions of the Administrative Procedures Act, the following directive issued under authority of the Selective Training and Service Act of 1940, as amended, is hereby made a matter of record.

§ 672.339 *Enlistment in armed forces prior to October 6, 1946, and benefits under "GI Bill of Rights."* (a) This Headquarters has had presented to it the question of what advantages, in the matter of benefits under the "GI Bill of Rights," attach to those who enlist in the armed forces under the Voluntary Recruitment Act of 1945 prior to October 6, 1946 as distinguished from those who enter the armed forces by induction prior to or after October 6, 1946, or by enlistment after October 6, 1946.

(b) We have been advised by the Veterans Administration as follows:

The Servicemen's Readjustment Act (Public Law 346, 78th Congress) applies to anyone who served in the active military or naval forces of the United States during the period of World War II. It follows, therefore, that anyone who is drafted at the present time may be eligible for the benefits provided under said Act, but some of these benefits will depend upon the period of time served; and this period is, of course, problematical, inasmuch as it is not known when the war will be declared at an end. As to those veterans who enlisted or reenlisted subsequent to October 6, 1945, and prior to October 6, 1946, under the provisions of Public Law 190, 79th Congress, approved October 6, 1945, the period of the war for the purpose of benefits under the Servicemen's Readjustment Act will continue until the termination of such period of enlistment or reenlistment. Consequently, one who enlists or reenlists may be entitled to more substantial benefits than one who is drafted.

The benefits of the Servicemen's Readjustment Act are confined to those who served during the period of World War II, and the termination thereof is defined by Section 1502 of the Act to mean the termination of the war as declared by Presidential proclamation or by concurrent resolution of the Congress. It follows that under the Act as it now stands there is no authority to credit anyone with service for benefits thereunder after the termination of World War II except those veterans provided for under Public Law 190, 79th Congress, whose service may extend beyond the termination of the war.

(c) It would appear therefore that all persons who enter the armed forces, either by enlistment or induction, whether before or after October 6, 1946, become eligible for benefits under the "GI Bill of Rights" (Servicemen's Readjustment Act—Public Law 346, 78th Congress) providing, of course, that they otherwise qualify and depending in some measure upon the date when the war will be declared officially terminated. The only advantage that accrues to those who enlist under the Voluntary Recruitment Act prior to October 6, 1946, over other enlistees or over inductees, is that those enlistees will be assured service credit for the entire period of their enlistment should the war be declared terminated during such period of enlistment. Other veterans, under existing legislation, will not receive service credit for time served after the official termination of the war.

(d) The amount of service credit which a veteran has determines the amount of educational benefits and readjustment allowances to which he may be entitled, but is not involved in the other benefits under the "GI Bill." For instance, eligibility for loans under the "GI Bill" requires only the entrance into active military service prior to the termination of the war and the basic 90 days' service, any part of which may be served after the termination of the war. The amount of education to which a veteran will be entitled over and above the first

year, however, will depend entirely upon the amount of wartime service credit which he has, as will the number of weeks of readjustment allowances to which he may be entitled.

Issued: September 18, 1946.

LEWIS B. HERSHEY,
Director.

[F. R. Doc. 46-17005; Filed, Sept. 20, 1946; 9:26 a. m.]

[State Director Advice No. 340]

PART 672—STATE DIRECTOR ADVICES

RECLASSIFICATION OF 19 YEAR OLD REGISTRANTS

Pursuant to the provisions of the Administrative Procedure Act, the following directive issued under authority of the Selective Training and Service Act of 1940, as amended, is hereby made a matter of record.

§ 672.340 *Reclassification of 19-year old registrants.* (a) There exist numerous cases of registrants who were classified into a class available for service and who were not liable for induction by reason of that classification because of the passage of an amendment to the Selective Training and Service Act of 1940, which prohibited the induction of registrants under the age of 19 years without their consent. Subsequent to that time, many of these registrants have become or will become liable for service in the armed forces.

(b) Such registrants should be allowed an opportunity to present any new information to local boards following which classification will be considered anew. Thus, all registrants who have become 19 years of age subsequent to the enactment of Public Law 473, and who were classified prior to June 29, 1946, shall have their cases reopened and their classifications considered anew prior to being processed for induction.

Issued: September 18, 1946.

LEWIS B. HERSHEY,
Director.

[F. R. Doc. 46-17006; Filed, Sept. 20, 1946; 9:26 a. m.]

Chapter IX—Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, and Public Laws 270 and 475, 79th Congress; Public Law 388, 79th Congress; E. O. 9024, 7 F. R. 329; E. O. 9040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719; E. O. 9599, 10 F. R. 10155; E. O. 9638, 10 F. R. 12591; C. P. A. Reg. 1, Nov. 5, 1945, 10 F. R. 13714; Housing Expediter's Priorities Order 1, Aug. 27, 1946, 11 F. R. 9507.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-973]

LOUIS RUBEN AND BERNARD RUBEN

Louis Ruben and Bernard Ruben of 66-68 E. Long Street, Columbus, Ohio, began on or about May 16, 1946 without authorization from the Civilian Production Administration construction consisting of the altering and remodeling of two store rooms located at 66-68 E. Long Street, Columbus, Ohio. The estimated cost of such construction exceeded the $1,000 limit permitted by Veterans' Housing Program Order No. 1, and was in violation thereof. This violation has diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.973 *Suspension Order No. S-973.* (a) Neither Louis Ruben nor Bernard Ruben, their successors and assigns, nor any other person shall do any further construction on the two store rooms located at 66-68 E. Long Street, Columbus, Ohio, including completing or altering the structures, unless hereafter authorized in writing by the Civilian Production Administration.

(b) Louis Ruben and Bernard Ruben shall refer to this Order in any application or appeal which they may file with the Civilian Production Administration for priorities assistance or for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve Louis Ruben and Bernard Ruben, their successors and assigns, nor any other person from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 19th day of September 1946.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-17144; Filed, Sept. 19, 1946; 4:49 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 13, Direction 17 as Amended Sept. 20, 1946]

SALE OF CARBON STEEL BLACK ANNEALED OR GALVANIZED WIRE BY WAR ASSETS ADMINISTRATION

The following amended direction is issued pursuant to Priorities Regulation 13:

(a) *What this direction does.* There is an urgent need for carbon steel black annealed or galvanized wire suitable for use in making wire bale ties for baling hay, straw, alfalfa, other farm products, paper and rags, since this type of wire is not readily obtainable in sufficient quantities from new production.

The purpose of this direction is to earmark not more than 7,500 tons of carbon steel black annealed or galvanized wire in gauges 12-16 inclusive held by War Assets Administration as surplus property, and to make this material available for the above uses. It permits sales by WAA only to buyers who give the certification described in paragraph (b), except that 15% of any lot may be disposed of to other buyers. The direction only applies to wire of the type described which is declared surplus in Iowa, Minnesota, Missouri, or states east of the Mississippi River.

Although this direction restricts certain sales to persons who will use the wire for the purposes specified, it does not prohibit WAA from making sales, to the persons and for the purposes specified, upon such other terms and in such quantities as WAA may determine; and preference ratings have no effect upon any sales which may be made by WAA, either by way of obliging it to sell or by way of determining as among the several buyers permitted by this direction who shall get the material from WAA.

(b) *Restriction on sales by WAA.* WAA may not sell wire of the type described in paragraph (a), except to purchasers described below:

(1) With respect to any lot of wire which WAA determines is available for sale, 85% may be sold only to buyers who give a certificate with their purchase orders in substantially the following form:

> The undersigned certifies to the seller and CPA subject to the criminal penalties of section 35 (A) of the U. S. Criminal Code, that (1) he is a producer of wire bale ties; and (ii) the material obtained under this purchase order will be used only for the production of wire bale ties suitable for use in baling hay, straw, alfalfa, other farm products, paper and rags.

The standard certificate in Priorities Regulation 7 may not be used instead of this certificate.

(2) The other 15% may be sold freely to other buyers in accordance with the Surplus Property Act of 1944 and applicable regulations of WAA.

(c) *Obligations of persons giving certificates.* Any person giving the certificate described above may obtain and use the material he gets with the certificate only in accordance with its terms.

(d) *Expiration date.* Unless sooner revoked this direction shall expire on November 30, 1946, or as soon as WAA has sold to buyers under paragraph (b) (1) 7,500 tons of the type of wire described in paragraph (a), if that occurs before November 30, 1946. The expiration of the direction shall not relieve any person who has obtained wire by use of the certificate referred to above from the obligation of using the wire in accordance with the certificate which he has given.

Issued this 20th day of September 1946.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-17204; Filed, Sept. 20, 1946; 11:45 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, as Amended Aug. 21, 1946, Amdt. 1]

Rubber Order R-1, as amended August 21, 1946, is hereby further amended in the following respects:

1. Amend paragraph (h) of § 4600.01 to read as follows:

(h) "Consume" means to compound, expend, formulate, or in any manner make any substantial change in the form, shape or chemical composition of natural rubber, natural rubber latex, synthetic rubber, or reclaimed rubber.

2. Amend § 4600.02, *Authorized consumption;* to read as follows:

§ 4600.02, *Authorization required to consume raw materials.* No person shall consume any of the following materials:

Natural rubber
Natural rubber latex
Butyl

until he has received an authorization to do so from the Civilian Production Administration on Form CPAI 3563. Applications for an authorization to consume any of these materials shall be

made on Form CPA 4488, pursuant to instructions accompanying that Form, not later than the first day of the month next preceding the calendar quarter for which the authorization is required. The authorizations to consume on Form CPAI 3563 will be mailed by the Civilian Production Administration to applicants filing Form CPA 4488 on approximately the 20th day of the month next preceding the calendar quarter for which the consumption is authorized.

Chlorinated natural rubber. Consumption of chlorinated natural rubber no longer requires an authorization. Any person may consume chlorinated natural rubber without specific authorization from the Civilian Production Administration under the conditions specifically indicated in Table B of Appendix I.

(a) *Restrictions on consumption.* No person shall consume in any one calendar quarter, any of the materials listed above except in the amounts and for the purposes authorized on Form CAPI 3563 and in accordance with the special restrictions or provisions in Appendix I and the manufacturing regulations in Appendix II. In addition, these materials may be consumed for experimental use without authorization to the extent permitted in Table A in Appendix I.

(1) *Thick and thin pale crepe and natural rubber latex* may only be used for the products specifically indicated in Table B of Appendix I.

3. Delete entirely § 4600.03, *Permitted uses.*

4. Amend § 4600.04, *"Purchase procedure"*, to read as follows:

§ 4600.04 *Purchase requests for natural rubber, natural rubber latex or butyl.* Purchase requests for natural rubber, natural rubber latex and butyl must be made on Form CPA–3682 in accordance with instructions accompanying the form.

Consumers of chlorinated natural rubber and any consumer of synthetic rubber which is privately produced may purchase directly from the producer subject to the inventory restrictions of § 4600.06.

Material purchased, the consumption of which is subject to authorization on Form CPAI–3563, may be consumed only to the extent authorized on Form CPAI–3563 in any one calendar quarter and in accordance with applicable manufacturing regulations. For purchases of material for experimental use, see Appendix I below.

Purchase requests for butyl plant clean-up material shall be made on Form CPA–3682 in accordance with instructions accompanying the form. Butyl plant clean-up material must be specified on the form.

5. Amend § 4600.05, *Restrictions on deliveries of material,* to read as follows:

§ 4600.05 *Restrictions on deliveries of materials.* No person shall deliver any natural rubber, natural rubber latex, butyl, or GR–S (all types, including GR–S latex) except as specifically authorized by the Civilian Production Administration or as permitted by regulations of the Office of Rubber Reserve. Delivery of these raw materials, except GR–S (all types, including GR–S latex) will be authorized only for uses permitted by Table A and for products specified in Table B both of Appendix I below; delivery of all other raw rubber materials shall be subject only to the inventory restrictions contained in 4600.06 below; the poundage authorized will take into account the consumption capacity of the applicant and his reports of actual consumption received monthly on Form CPA–3410; in no event will the amounts authorized exceed the inventory restrictions specified in 4600.06 below. Nothing contained in this section shall be deemed to prohibit:

(a) Delivery of natural rubber, natural rubber latex, synthetic rubber of any type or reclaimed rubber from one location to another location controlled by the same person where no change of ownership takes place, or by any corporation to another corporation which is its subsidiary or of which it is a subsidiary within the continental limits of the United States.

(b) Any person from accepting delivery from another of natural rubber, natural rubber latex, synthetic rubber of any type or reclaimed rubber for the purpose of milling, washing, deresinating, drying, compounding or conditioning the same, or for processing or manufacturing products therefrom, and thereafter returning the same or the products thereof to such other person.

6. Amend Table A—"General Permitted Uses of Materials" to read as follows:

TABLE A—GENERAL PERMITTED USES OF MATERIALS

Type of material	General permitted uses subject to applicable end product restrictions	Monthly consumption for experimental use without specific authorization
Natural rubber.	In the manufacture of products listed in Table B below for which natural rubber is specifically permitted, subject to any applicable manufacturing regulations or restrictions, but only in the amount authorized on Form CPAI-3563.	25 pounds.
Natural rubber latex.	In the manufacture only of products specifically designated in Table B, subject to any applicable manufacturing regulations or restrictions, but only in the amount authorized on Form CPAI-3563.	None.
Chlorinated natural rubber.	In the manufacture of products listed in Table B below for which chlorinated natural rubber is specifically permitted, subject to any applicable manufacturing regulations or restrictions. (Use of Form CPA-3662 or CPAI-3563 is not required.)	None.
Butyl.....	In the manufacture of products listed in Table B below for which Butyl is specifically permitted, subject to any applicable manufacturing regulations or restrictions, but only in the amount authorized on Form CPAI-3563.	200 pounds.

Experimentation need not be confined to permitted uses, but none of the products produced or resulting from experimentation may be sold. Natural rubber and natural rubber latex are not permitted in the experimental manufacture of cements of any type. Materials in the amounts indicated may be diverted from inventory or from purchase for manufacturing operations. If manufacturer does not have inventory of natural rubber or natural rubber latex, application for permission to purchase should be made on Form CPA–3682. Such applications must definitely state that the natural rubber or natural rubber latex is to be used for experimentation and name the end product on which the experiment is to be made. To purchase butyl rubbers for experimental purposes, make applications to Sales Division, Office of Rubber Reserve, Reconstruction Finance Corporation, Washington 25, D. C.

For permission to consume materials for experimental use, in excess of the amounts authorized, file Form CPA–2242, in accordance with § 4600.14 of this order.

7. Amend Table B of Appendix I, "Permitted Products" by changing the textual paragraphs preceding the Code descriptions to read as follows:

TABLE B—PERMITTED PRODUCTS 1946

For general permitted uses of material in the manufacture of products, see Table A above.

Form CPA–2242 should not be used in applying for permission to consume any material for a purpose which is permitted by Appendix I or Appendix II.

Monthly consumption of natural rubber, natural rubber latex or butyl, will be permitted on the basis of uses shown in this appendix, but only to the extent that material is available.

Explanation of Table B Columns and Symbols:

The first column shows to what extent natural rubber authorized on Form CPAI–3563 may be used in the manufacture of particular products. The second column shows to what extent natural rubber latex authorized on Form CPAI–3563 may be used in the manufacture of particular products. The third column shows to what extent butyl authorized on Form CPAI–3563 may be used in the manufacture of particular products.

The natural rubber, natural rubber latex, or butyl column is blank when applicable regulations in Appendix II or special restrictions in the last column of Appendix I limit the use of these materials.

"O" indicates that the use of the material is prohibited, subject to any special restrictions or provisions applicable to the particular products.

"X" indicates that the material may be consumed in the minimum quantities required by a manufacturer who has received authorization to consume on Form CPAI–3563 subject to any special restrictions or provisions applicable to the particular product.

Percentage figures indicate maximum percent of total volume of compound, unless otherwise specified.

The rubber hydrocarbon (designated RHC in this table) is the sum total of natural rubber, synthetic rubber and the rubber hydrocarbon value of reclaimed rubber. The rubber hydrocarbon value of reclaimed rubber shall be calculated from the rubber value of reclaimed rubber as certified by the manufacturer of the reclaimed rubber and shall be determined by the "difference or indirect" method.

8. Amend Code 22C in Table B of Appendix I by inserting the following two items:

Code No.	Product	Percent natural rubber	Percent natural rubber latex	Butyl	Special restrictions or provisions
22E	Chlorinated natural rubber and cyclized rubber for protective coatings, including paints.	----	0	0	Natural rubber not exceeding 15% of the average monthly consumption of RHC during the year ending March 31, 1941 permitted monthly.
	Chlorinated natural rubber for the manufacture of cement for any purpose.	----	0	0	The over-all monthly consumption of chlorinated natural rubber and synthetic rubber shall not exceed the ratio of ⅔ chlorinated natural rubber to ⅓ synthetic rubber.

9. Amend Code 16 by deleting Code 16C.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E. O. 9024, 7 F. R. 329; E. O. 9040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719; E. O. 9246, 7 F. R. 7379, as amended by E. O. 9475, 9 F.R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F. R. 64)

Issued this 20th day of September 1946.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-17206; Filed, Sept. 20, 1946; 11:46 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER AND PRODUCTS THEREOF

[Rubber Order R-1, Appendix II as Amended Aug. 15, 1946, Amdt. 2]

Rubber Order R-1, Appendix II, as amended August 15, 1946, is hereby further amended as follows:

1. In List 8, Manufacture of Tires and Tire Casings, amend Table A to read as follows:

TABLE A—ALL TYPES OF PNEUMATIC TIRES

Size and type	Tire construction	Tire marking	Maximum percent[1] natural rubber of total RHC by weight, rayon, nylon, or cotton
All airplane, all intercity bus mileage, all low platform trailer and all wire tires	S-11	None	94
8.25 and up (all types)	S-11	None	94
7.50 and down—All types except passenger, motorcycle, tractor, implement, industrial pneumatic and bicycle	S-7	None	67
All passenger, motorcycle, tractor, implement, and industrial pneumatics	S-4	S-3	13
All other pneumatic tires	S-3	S-8	2.5

[1] Individual sizes may exceed the indicated maximum percentage, provided the average natural rubber content of all sizes within the groups as listed in this Table A, does not exceed the indicated maximum percentage. No tire within the group shall be manufactured with a natural rubber content more than 5 percent greater than maximum allowable percentage of total RHC for tires in that group, for example an S-7 individual size may be 72 percent.

2. Amend List 9, paragraph (3) to read as follows:

(3) Natural rubber shall be consumed in the manufacture of tubes subject to the following regulations:

Optional in all tubes 18" diameter and under except passenger, tractor, implement or light truck tubes.
Optional in all 6.00 cross section and larger truck, tractor and implement tubes except 15 and 16 inch diameters.
Mandatory in 7.00 cross section and larger except passenger, tractor, implement or light truck tubes.

3. Amend List 9, paragraph (4) to read as follows:

(4) The manufacture of tubes from GR-I (Butyl) shall be permitted in all other sizes except bicycle.

4. Amend List 10 to read as follows:

(a) *Manufacturing regulations.* The use of natural rubber in the manufacture of tire flaps shall be subject to the following regulations:

	Maximum percent natural rubber of total RHC by weight
Flaps for 12.00 cross section and larger tires	X
Flaps for 11.00 cross section and smaller tires	50

5. Amend List 13, paragraph (2) to group the two full circle curing tube items together as follows:

	Maximum percent natural rubber of total RHC by weight
Full circle curing tubes	X

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E. O. 9024, 7 F. R. 329; E. O. 9040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719; E. O. 9246, 7 F. R. 7379, as amended by E. O. 9475, 9 F. R. 10817; WPB Reg. 1 as amended Dec. 31, 1943, 9 F. R. 64)

Issued this 20th day of September 1946.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-17205; Filed, Sept. 20, 1946; 11:46 a. m.]

Chapter XI—Office of Price Administration

PART 1312—LUMBER AND LUMBER PRODUCTS

[MPR 535-1,[1] Amdt. 9]

INSULATION AND FELT CORDWOOD AND RELATED PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 11 of Maximum Price Regulation 535-1 is amended by the addition of the following undesignated paragraph to subsection (c) (5):

Where the maximum price for insulation and felt cordwood and related products has been increased subsequent to March 31, 1946, the consumer may compute the dealer's commission by applying to the current f. o. b. car price, established by this regulation, the same percentage mark-up that was in effect over the f. o. b. car price on March 31, 1946. In applying this percentage, the consumer may round off the resulting increased commission per cord to the nearest cent.

This amendment shall become effective September 20, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

STATEMENT OF THE CONSIDERATIONS INVOLVED IN THE ISSUANCE OF AMENDMENT 9 TO MAXIMUM PRICE REGULATION NO. 553-1

This amendment allows consumers of insulation and felt cordwood and related products to compute dealers' allowances on these items by applying the percentage mark-up, in effect on March 31, 1946, over and above the appropriate producer f. o. b. car price as set forth in Maximum Price Regulation No. 535-1.

This action is taken in order to comply with Section 2, subsection (t) of the Emergency Price Control Act of 1942, as amended. Dealers in insulation and felt cordwood and related products are considered to be wholesale distributors of these items and, as such, are entitled to such benefits as Section 2, subsection (t) of the Act provides.

Previous to this amendment, the amount of the dealer allowance, for each zone where permitted, was specified in dollars and cents. This amendment now allows dealers in insulation and felt cordwood and related products buying cordwood cut from the stump in each of these zones the same percentage mark-up, in effect on March 31, 1946, above the appropriate producer f. o. b. price set forth in the regulation. This mark-up may be maintained in line with any increases in producer f. o. b. car prices which have been or may be authorized subsequent to March 31, 1946. Consumers, in computing the changes in dealers' allowances authorized by this amendment, may apply the appropriate percentage mark-up as it existed on March 31, 1946, and may round off to the nearest cent the resulting changes in allowances per cord.

Increases in producer f. o. b. car prices have been authorized subsequent to March 31, 1946, in only those areas comprising zones 464-III to 464-VII, inclusive (Amendment 6, effective May 6, 1946). This amendment, therefore, has the immediate effect of providing changes in the amount of dealers' allowances in these zones only.

In view of the foregoing considerations the Price Administrator finds that this amendment is reasonable and proper and consistent with the purposes and standards of the Emergency Price Control Act of 1942, as amended, and the relevant Executive Orders of the President.

[F. R. Doc. 46-17195; Filed, Sept. 20, 1946; 11:43 a. m.]

[1] 9 F. R. 5306; 10 F. R. 15958, 22625; 11 F. R. 1814.

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 421,[1] Amdt. 35]

CEILING PRICES OF CERTAIN FOODS SOLD AT WHOLESALE

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 13 is amended by adding paragraph (i) to read as follows:

(i) *Limitations on sales of "seed beans".* Regardless of any other provisions of this regulation, you may not sell any of the varieties of dry edible beans covered by Second Revised Maximum Price Regulation 270 [2] as seed beans unless you buy and resell them in original containers of a minimum net weight of 100 pounds (or 90 lbs. in the case of blackeye beans) and unless they meet all of the provisions of the definition of "certified seed beans" or "selected seed beans", whichever is applicable, set forth in that regulation. In all other cases, whether the beans are seed or non-seed, your ceiling price is your ceiling price for commercial quality beans of the particular variety and grade. If you have no ceiling price for that particular variety and grade you must, before making any sales of the item, figure your ceiling price for it on the basis of the net cost of the most recent delivery to you, not to exceed your supplier's ceiling price for commercial (not seed) quality of the item, according to section 5.

This amendment shall become effective September 25, 1946.

Issued this 20th day of September 1946.

GEOFFREY BAKER,
Acting Administrator.

Approved: September 11, 1946.

CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

STATEMENT OF THE CONSIDERATIONS INVOLVED IN THE ISSUANCE OF AMENDMENT 35 TO MAXIMUM PRICE REGULATION 421, AMENDMENT 78 TO MAXIMUM PRICE REGULATION 422, AND AMENDMENT 74 TO MAXIMUM PRICE REGULATION 423

Second Revised Maximum Price Regulation 270 (Dry Edible Beans and Certain Other Dry Food Commodities) has been amended so as to restrict the exemption of sales of seed beans. References made to the statement of considerations accompanying Amendment 16 to that regulation for details. In order to complete the action it is necessary that similar restrictions be imposed on wholesalers and retailers. Accordingly, the accompanying amendments are issued to prohibit wholesalers and retailers from selling dry edible beans as seed unless the goods meet the requirements and conditions that have been incorporated into the dry bean regulation by the above mentioned amendment. Henceforth wholesalers and retailers may only sell seed beans in the original hundred pound containers. Otherwise they are limited to their ceiling prices for ordinary commercial quality beans.

[F. R. Doc. 46-17191; Filed, Sept. 20, 1946; 11:41 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,[1] Amdt. 78]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 16 is amended by adding paragraph (m) to read as follows:

(m) Limitations on sales of "seed beans". Regardless of any other provisions of this regulation, you may not sell any of the varieties of dry edible beans covered by Second Revised Maximum Price Regulation 270 [2] as seed beans unless you buy and resell them in original containers of a minimum net weight of 100 pounds (or 90 lbs. in the case of blackeye beans) and unless they meet all of the provisions of the definition of "certified seed beans" or "selected seed beans", whichever is applicable, set forth in that regulation. In all other cases, whether the beans are seed or non-seed, your ceiling price is your ceiling price for commercial quality beans of the particular variety and grade. If you have no ceiling price for that particular variety and grade you must, before making any sales of the item, figure your ceiling price for it on the basis of the net cost of the most recent delivery to you, not to exceed your supplier's ceiling price for commercial (not seed) quality of the item, according to section 5.

This amendment shall become effective September 25, 1946.

Issued this 20th day of September 1946.

GEOFFREY BAKER,
Acting Administrator.

Approved: September 11, 1946.

CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

STATEMENT OF THE CONSIDERATIONS INVOLVED IN THE ISSUANCE OF AMENDMENT 35 TO MAXIMUM PRICE REGULATION 421, AMENDMENT 78 TO MAXIMUM PRICE REGULATION 422, AND AMENDMENT 74 TO MAXIMUM PRICE REGULATION 423

Second Revised Maximum Price Regulation 270 (Dry Edible Beans and Certain Other Dry Food Commodities) has been amended so as to restrict the exemption of sales of seed beans. References made to the statement of considerations accompanying Amendment 16 to that regulation for details. In order to complete the action it is necessary that similar restrictions be imposed on wholesalers and retailers. Accordingly, the accompanying amendments are issued to prohibit wholesalers and retailers from selling dry edible beans as seed unless the goods meet the requirements and conditions that have been incorporated into the dry bean regulation by the above mentioned amendment. Henceforth wholesalers and retailers may only sell seed beans in the original hundred pound containers. Otherwise they are limited to their ceiling prices for ordinary commercial quality beans.

[F. R. Doc. 46-17192; Filed, Sept. 20, 1946; 11:42 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 423,[1] Amdt. 74]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN $250,000 (GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amendment has been issued and filed with the Division of the Federal Register.

Section 17 is amended by adding paragraph (m) to read as follows:

(m) *Limitations on sales of seed beans.* Regardless of any other provisions of this regulation, you may not sell any of the varieties of dry edible beans covered by Second Revised Maximum Price Regulation 270 [2] as seed beans unless you buy and resell them in original containers of a minimum net weight of 100 pounds (or 90 lbs. in the case of blackeye beans) and unless they meet all of the provisions of the definition of "certified seed beans" or "selected seed beans", whichever is applicable, set forth in that regulation. In all other cases, whether the beans are seed or non-seed, your ceiling price is your ceiling price for commercial quality beans of the particular variety and grade. If you have no ceiling price for that particular variety and grade you must, before making any sales of the item, figure your ceiling price for it on the basis of the net cost of the most recent delivery to you, not to exceed your supplier's ceiling price for commercial (not seed) quality of the item, according to sections 3 and 4.

This amendment shall become effective September 25, 1946.

Issued this 20th day of September 1946.

GEOFFREY BAKER,
Acting Administrator.

Approved: September 11, 1946.

CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

STATEMENT OF THE CONSIDERATIONS INVOLVED IN THE ISSUANCE OF AMENDMENT 35 TO MAXIMUM PRICE REGULATION 421, AMENDMENT 78 TO MAXIMUM PRICE REGULATION 422, AND AMENDMENT 74 TO MAXIMUM PRICE REGULATION 423

Second Revised Maximum Price Regulation 270 (Dry Edible Beans and Certain Other Dry Food Commodities) has been

[1] 11 F. R. 6420, 6764, 8968.

[2] 9 F. R. 9260, 10876, 12129, 14106; 10 F. R. 620, 5696, 6589, 7531, 15171; 11 F. R. 6304, 8869.

amended so as to restrict the exemption of sales of seed beans. References made to the statement of considerations accompanying Amendment 16 to that regulation for details. In order to complete the action it is necessary that similar restrictions be imposed on wholesalers and retailers. Accordingly, the accompanying amendments are issued to prohibit wholesalers and retailers from selling dry edible beans as seed unless the goods meet the requirements and conditions that have been incorporated into the dry bean regulation by the above mentioned amendment. Henceforth wholesalers and retailers may only sell seed beans in the original hundred pounds containers. Otherwise they are limited to their ceiling prices for ordinary commercial quality beans.

[F. R. Doc. 46-17193; Filed, Sept. 20, 1946; 11:42 a. m.]

PART 1360—MOTOR VEHICLES AND MOTOR VEHICLE EQUIPMENT

[MPR 610, Amdt. 4]

MAXIMUM PRICES FOR NEW TRUCKS AND NEW MOTORCYCLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 610 is amended in the following respects:

Paragraph 10 (c) (1) is amended to read as follows:

(1) *When the manufacturer prepays freight charges for the new truck or new motorcycle.* The amount which the manufacturer charges for the shipment of the new vehicle and extra or optional equipment to the location at which delivery is made to the reseller including transportation tax. However, when the manufacturer ships the new vehicle and extra or optional equipment to a body builder and prepays the freight only to that point, the reseller may charge, in addition to the prepaid charge, an amount computed in accordance with the provisions of paragraph (2) below for transportation of the complete vehicle from the body building factory to the point at which delivery is made to the purchaser; or

This amendment shall be effective September 25, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

STATEMENT OF CONSIDERATIONS INVOLVED IN THE ISSUANCE OF AMENDMENT NO. 4 TO MAXIMUM PRICE REGULATION NO. 610

This amendment to section 10 (c) (1) permits resellers for whom the factories prepay freight to make a charge to cover their cost of transportation of a new truck from a body building factory to the place at which delivery is made to the purchaser. Prior to this action the wording in section 10 (c) (1) did not permit such resellers to recover their cost of transporting the vehicle after the body was installed. The amendment corrects this situation.

[F. R. Doc. 46-17197; Filed, Sept. 20, 1946; 11:43 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 585, Amdt. 9]

MIXED FEEDS FOR ANIMALS AND POULTRY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation 585 is amended in the following respects:

1. Section 2.1 (a) (viii) is amended to read as follows:

(viii) Mixtures of wheat, rye, corn, oats, feed oats, mixed feed oats, barley, grain sorghums, buckwheat, and any livestock or poultry feeds processed or manufactured entirely from any one or more of these whole grains.

2. Section 2.1 (a) (ix) is hereby deleted.

3. Section 3.7 (a) is amended by adding at the end thereof the following:

On shipments to a destination in an area which is not included in his 1942 system of differentials, he may, if he desires, use the differentials in effect on shipments to the point nearest such destination that takes the same or a lower flat freight rate from shipping point, increased by the difference, if any, between the flat rate from shipping point to such point and the flat rate from shipping point to the applicable destination. The applicable differential plus 3% to compensate for the tax provided for in section 620 of the Revenue Act of 1942 and an amount to reflect his average increase in freight rates granted by the Interstate Commerce Commission order in ex-parte No. 162 and ex-parte No. 148 shall be deemed to be the "transportation costs" for purposes of this regulation.

4. A new paragraph (4) is added to section 4.1 (e) to read as follows:

(4) Any differential between a Class A and a Class C plant established under paragraphs (1), (2) or (3) of this paragraph (e) may be increased to reflect a manufacturer's increase in freight rates on shipments from such Class A to such Class C plant granted by the Interstate Commerce Commission order ex-parte No. 162 and ex-parte No. 148.

5. Section 4.2 (b) (3) (b) is amended to read as follows:

(b) In computing your "control price" for any subsequent price list for any ingredient not subject to price control you may use either:

(i) The reasonable market value of such ingredient at your plant on the date upon which you compute your list price, or

(ii) Your base ingredient price as determined under section 4.2 as of June 30, 1946, or

(iii) An adjusted base ingredient price as determined under the provisions of section 4.3.

6. A new paragraph (i) is added to section 4.2 to read as follows:

(i) *Increased freight costs.* There may be added to your base ingredient cost as determined under the other provisions of this section 4.2, any increase therein resulting from the increase in freight rates granted by the Interstate Commerce Commission order in ex-parte No. 162 and ex-parte No. 148.

7. A new paragraph 6 is added to section 4.9 (a) to read as follows:

(a) If your nearest customer regularly selling your mixed feed at retail is located within 50 miles of your plant or wholesale warehouse, you may, with respect to deliveries to feeders at such plant or warehouse, add such an amount as will make your price equal to his maximum price (this is permitted to protect him from the possibility of underselling).

8. Section 5.2 (e) (2) is amended to read as follows:

(2) A handling charge of $3.00 per ton for mixed feeds in containers of 100 ponds and $4.75 per ton for mixed feeds in containers of less than 100 pounds: *Provided,* That no maximum price shall include more than one of the above handling charges on any one lot of mixed feed, plus.

9. Section 5.3 (a) (4) (ii) is amended to read as follows:

(ii) On lots you have unloaded into a wholesale warehouse before reloading, shipping to, and unloading into your retail place of business from which you sell to feeders, a handling charge in addition of $3.00 per ton for mixed feeds in 100 pound containers, and $4.75 per ton for mixed feeds in containers of less than 100 pounds: *Provided,* That you shall not add such charges on lots with respect to which such charges have been made by a prior seller; plus.

10. The table in section 5.3 (a) (4) (iii) is amended to read as follows:

SCHEDULE II—MARKUPS

(1) For sales in 100 pound containers.

Commodity	Maximum markup	
	Per ton	Per 100 pound bag
1. All dairy and cattle feed except calf feeds, all horse and mule feeds and all poultry, duck and turkey feeds except as set forth below	$6.50	$0.32½
2. All rabbit feeds, all pig and hog feeds, all sheep and goat feeds, all laying, growing, and broiler mashes and pellets for poultry, ducks and turkeys, except (a) flushing mashes, concentrates and supplements for poultry, ducks and turkeys used for further mixing or feeding with more than 50% of grain and (b) starting mashes and pellets for poultry, ducks and turkeys	8.50	.42½
3. All pigeon and squab feeds, all calf feeds, all poultry, duck and turkey mashes and pellets designed for starting poultry, ducks and turkeys and flushing mashes, concentrates and supplements for poultry, ducks and turkeys used for further mixing or feeding with more than 50% of grain	12.00	.60

This amendment shall become effective September 23, 1946.

Issued this 20th day of September, 1946.

PAUL A. PORTER,
Administrator.

Approved September 18, 1946.

CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

STATEMENT OF THE CONSIDERATIONS INVOLVED IN THE ISSUANCE OF AMENDMENT 9 TO MPR 585

Amendment 8 to Maximum Price Regulation 585, issued on August 23, 1946, provided for the computation of price lists and base ingredient costs of uncontrolled commodities for price lists issued and effective prior to September 22, 1946. At that time it was not possible in view of the time element, to confer with representatives of the industry as to the proper method of pricing major uncontrolled ingredients on a permanent basis.

A working committee of the Class A and Class B Feed Manufacturers' and Retailers' Advisory Committee has since taken up this matter with members of this office and the changes in the accompanying amendment represent the conclusions reached by this office and the Committee. Many of the changes are relatively unimportant, several of them resulting from the decontrol action itself and others from the recent increase in freight rates granted by the Interstate Commerce Commission.

1. The definition of "mixed feeds" has been changed to expressly exclude mixed feeds made from whole grains, any mixtures thereof, or any feeds processed or manufactured entirely from any one or more of these whole grains.

2. In Amendment 8, in revising rail shipment charges, a sentence was inadvertently omitted. This is restored by this amendment.

3. The amendment to Section 4.1 (e) provides for the addition of differentials between a Class A and a Class C plant of the increase in freight rates recently granted by the Interstate Commerce Commission.

4. The amendment to Section 4.2 (b) (3) (b) allows the manufacturer three alternatives in computing his "control price" for any subsequent price list for any ingredient not subject to price control. He may use either:

(i) The reasonable market value of such ingredient at his plant on the date upon which he computes his list price, or

(ii) His base ingredient price as determined under Section 4.2 as of June 30, 1946, or

(iii) An adjusted base ingredient price as determined under the provisions of Section 4.3.

As the regulation formerly provided for the now decontrolled grains, and as it now provides for controlled items, a manufacturer is allowed to use either of the methods set forth in (ii) or (iii) above. These methods are preserved for several major ingredients which are now out from under price control at the urgent request of the industry. The reason for this is the need of industry and of the Enforcement Branch of this office having a definite standard to rely on, rather than "the reasonable market value."

The standard set forth in (i) above has been adopted to conform with the requirements of Section 1A (e) (10) of the Emergency Price Control Act of 1942 as amended, which requires that whenever maximum prices are in effect for any commodity processed or manufactured in whole or in substantial part from any commodity such as livestock, milk or grain, which has been decontrolled, maximum prices for the processed commodity must return to the processor the raw material cost, the conversion or distribution cost and a reasonable profit. It is further felt by this office that the addition of this standard is desirable as the greater majority of the small manufacturers will find this system much more workable and less irksome.

5. The amendment to Section 4.2 (i) allows manufacturers to include in their ingredient costs the recent increase in incoming freight rates on raw materials authorized by the recent order of the Interstate Commerce Commission.

6. By certain other provisions of this amendment, markups for wholesalers and retailers are increased to conform with the provisions of Section 2 (t) of the Emergency Price Control Act as amended. Due to the peculiar setup of feed prices providing for discounts from retail selling lists, it is necessary to make provision for a Class B manufacturer to come up to the prices of any of his customers in the retail business in his vicinity. Otherwise we would have the manufacturer selling to feeders at prices below those of the retailers who purchased their mixed feeds from him which would, of course, result in putting his retailers out of business. Similar provisions have heretofore been in the regulation for Class A manufacturers and wholesalers but were not necessary in the case of the Class B manufacturers until this recent increase in dollars and cents in the margins of wholesalers and retailers.

7. The other changes in the accompanying amendment increasing the dollars and cents "margin" of wholesalers and retailers are to comply with the provisions of Section 2(t) of the Emergency Price Control Act of 1942 as amended, which states that the Administrator must allow wholesale or retail distributors the average current cost of acquisition of any commodity plus such average percentage discount or markup as was in effect on March 31, 1946. In arriving at the amount of these markups, this office, on the recommendation of the Working Committee of the Class A and Class B Feed Manufacturers and Retailers Advisory Committee, has adopted the formula used by the Feed and Feed Grain Division of the United States Department of Agriculture in establishing quotas for new and expanded feed manufacturing plants for the last three years. It was felt that this formula represented a sound basis for arriving at the average increase price of mixed feeds to wholesalers and retailers. This formula is based on types of feed manufactured and the average weight of price advances in the different classifications.

Due to the many complications involved and the fact that the ceiling on wholesale and retail distributors of feeds is based on margins, it was the opinion both of this office and the committee referred to, that the approximate percentage increase be allowed on the dollars and cents basis and accordingly margins have been adjusted on that basis.

[F. R. Doc. 46-17196; Filed, Sept. 20, 1946; 11:43 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing,[1] Amdt. 101 (§ 1388.1161)]

HOUSING

The Rent Regulation for Housing is amended in the following respects:

1. The following paragraph is added immediately following the first paragraph of section 6 (b) (2) (i):

If the purchaser has, during the period of the war emergency, served in the armed forces of the United States, the certificate shall authorize the pursuit of local remedies at the expiration of four months after the date of filing of the petition, unless the Rent Director has determined that the maximum waiting period in the area shall be three months, in which event the certificate shall authorize pursuit of local remedies at the expiration of two months after the date of filing of the petition.

2. Section 6 (b) (2) (ii) is amended to read as follows:

(ii) Where the Administrator finds (a) that equivalent accommodations are available for rent into which the tenant can move without substantial hardship or loss, or (b) that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without the removal or eviction of the tenant, or (c) that other special hardship would result, a certificate may be issued although less than twenty per cent of the purchase price has been paid and may authorize the vendor or purchaser to pursue his remedies for removal or eviction of the tenant at the expiration of a period shorter than the maximum waiting period which would otherwise be imposed under this section.

3. Section 6 (b) is amended by adding the following paragraph (4):

(4) *Change of intention.* No landlord who has obtained a certificate relating to eviction under this section 6 (b) shall use the certificate in connection with any action to remove or evict a tenant unless such removal or eviction is sought for the purpose specified in the certificate.

Any landlord whose intentions or circumstances so change that the premises, whose possession is sought, will not be used for the purpose specified in the petition or certificate shall immediately

[1] 10 F. R. 13526, 13454, 14299; 11 F. R. 247, 248, 740, 1299, 1773, 2116, 2169, 2445, 3480, 4015, 4153, 4731, 5396, 5824, 5952, 5953, 5763, 7337, 7341, 7341, 8108, 8160, 8162, 8164, 9697.

notify the Area Rent Director in writing and surrender the certificate, if issued, for cancellation.

Issued and effective September 20, 1946.

PAUL A. PORTER,
Administrator.

STATEMENT TO ACCOMPANY AMENDMENT 101 TO THE RENT REGULATION FOR HOUSING, AMENDMENT 22 TO THE RENT REGULATION FOR HOUSING IN THE ATLANTIC COUNTY DEFENSE-RENTAL AREA, AMENDMENT 30 TO THE RENT REGULATION FOR HOUSING IN THE NEW YORK CITY DEFENSE-RENTAL AREA, AMENDMENT 26 TO THE RENT REGULATION FOR HOUSING IN THE MIAMI DEFENSE-RENTAL AREA

Prior to these amendments the regulations provided that eviction certificates for purchaser occupancy would normally have a six months' waiting period, except in defense-rental areas where a three months' waiting period was established.

The regulations also formerly authorized the rent director in his discretion to waive the 20 per cent down payment requirement and all or part of the six months' waiting period where the purchaser was a veteran in need of the housing accommodations to adequately house himself and his family.

The regulations now provide that the waiting period for all veterans regardless of need for housing shall be four months in areas having six months' waiting period, and two months in areas having a three months' waiting period. The provisions authorizing waiver of the usual waiting period where a veteran needs the accommodation to adequately house his family has been eliminated. Good faith on the part of the purchaser in seeking to evict for self-occupancy will, of course, continue to be an essential requirement for the issuance of a certificate of eviction.

This amendment preserves the preferential treatment given veteran purchasers under the regulation but removes the discretionary authority formerly given the area rent director to vary the waiting period in individual cases. Experience in the application of this section has shown that a uniform standard under which purchaser and tenant are able to ascertain their respective rights with exactitude will be beneficial in the great majority of cases. Extreme cases may still be considered under the other applicable provisions of this section.

Section 6 (b) (4) has been added to the regulations to effectively prohibit the improper use of a certificate. It provides that a landlord who files a petition for a certificate relating to eviction, must notify the area rent director in writing of any change in his intended use of the certificate. If he has obtained a certificate and does not wish to use it for the purpose specified therein, he must give a similar notice and also surrender the certificate to the area rent director for cancellation.

In the judgment of the Price Administrator, these amendments are necessary and proper in order to effectuate the purposes of the Emergency Price Control Act. No provisions which might have the effect of requiring a change in established rental practices have been included in the amendments unless such provisions have been found necessary to achieve effective rent control and to prevent circumvention or evasion of the rent regulations and the Act. To the extent that the provisions of these amendments compel or may operate to compel changes in established rental practices, such provisions are necessary to prevent circumvention or evasion of the rent regulations and the Act.

[F. R. Doc. 46-17188; Filed, Sept. 20, 1946; 11:40 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing, Atlantic County Area,[1] Amdt. 22 (§ 1388.1411)]

HOUSING IN ATLANTIC COUNTY AREA

The Rent Regulation for Housing in the Atlantic County Defense-Rental Area is amended in the following respects:

1. The following paragraph is added immediately following the first paragraph of section 6 (b) (2) (i):

If the purchaser has, during the period of the war emergency, served in the armed forces of the United States, the certificate shall authorize the pursuit of local remedies at the expiration of four months after the date of filing of the petition, unless the Rent Director has determined that the maximum waiting period in this area shall be three months, in which event the certificate shall authorize pursuit of local remedies at the expiration of two months after the date of filing of the petition.

2. Section 6 (b) (2) (ii) is amended to read as follows:

(ii) Where the Administrator finds (a) that equivalent accommodations are available for rent into which the tenant can move without substantial hardship or loss, or (b) that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without the removal or eviction of the tenant, or (c) that other special hardship would result, a certificate may be issued although less than twenty per cent of the purchase price has been paid and may authorize the vendor or purchaser to pursue his remedies for removal or eviction of the tenant at the expiration of a period shorter than the maximum waiting period which would otherwise be imposed under this section.

3. Section 6 (b) is amended by adding the following paragraph (4):

(4) *Change of intention.* No landlord who has obtained a certificate relating to eviction under this section 6 (b) shall use the certificate in connection with any action to remove or evict a tenant unless such removal or eviction is sought for the purpose specified in the certificate.

Any landlord whose intentions or circumstances so change that the premises, whose possession is sought, will not be used for the purpose specified in the petition or certificate shall immediately notify the Area Rent Director in writing and surrender the certificate, if issued, for cancellation.

Issued and effective September 20, 1946.

PAUL A. PORTER,
Administrator.

STATEMENT TO ACCOMPANY AMENDMENT 101 TO THE RENT REGULATION FOR HOUSING, AMENDMENT 22 TO THE RENT REGULATION FOR HOUSING IN THE ATLANTIC COUNTY DEFENSE-RENTAL AREA, AMENDMENT 30 TO THE RENT REGULATION FOR HOUSING IN THE NEW YORK CITY DEFENSE-RENTAL AREA, AMENDMENT 26 TO THE RENT REGULATION FOR HOUSING IN THE MIAMI DEFENSE-RENTAL AREA

Prior to these amendments the regulations provided that eviction certificates for purchaser occupancy would normally have a six months' waiting period, except in defense-rental areas where a three months' waiting period was established.

The regulations also formerly authorized the rent director in his discretion to waive the 20 per cent down payment requirement and all or part of the six months' waiting period where the purchaser was a veteran in need of the housing accommodations to adequately house himself and his family.

The regulations now provide that the waiting period for all veterans regardless of need for housing shall be four months in areas having six months' waiting period, and two months in areas having a three months' waiting period. The provisions authorizing waiver of the usual waiting period where a veteran needs the accommodation to adequately house his family has been eliminated. Good faith on the part of the purchaser in seeking to evict for self-occupancy will, of course, continue to be an essential requirement for the issuance of a certificate of eviction.

This amendment preserves the preferential treatment given veteran purchasers under the regulation but removes the discretionary authority formerly given the area rent director to vary the waiting period in individual cases. Experience in the application of this section has shown that a uniform standard under which purchaser and tenant are able to ascertain their respective rights with exactitude will be beneficial in the great majority of cases. Extreme cases may still be considered under the other applicable provisions of this section.

Section 6 (b) (4) has been added to the regulations to effectively prohibit the improper use of a certificate. It provides that a landlord who files a petition for a certificate relating to eviction, must notify the area rent director in writing of any change in his intended use of the certificate. If he has obtained a certificate and does not wish to use it for the purpose specified therein, he must give a similar notice and also surrender the certificate to the area rent director for cancellation.

[1] 9 F. R. 6819, 8054, 10189, 10634, 11349, 12415, 14987; 10 F. R. 330, 1452, 1911, 1973, 2402, 2617, 5090, 11669, 14399; 11 F. R. 1773, 2114, 2446, 4031, 5823, 8160, 8164.

In the judgment of the Price Administrator, these amendments are necessary and proper in order to effectuate the purposes of the Emergency Price Control Act. No provisions which might have the effect of requiring a change in established rental practices have been included in the amendments unless such provisions have been found necessary to achieve effective rent control and to prevent circumvention or evasion of the rent regulations and the Act. To the extent that the provisions of these amendments compel or may operate to compel changes in established rental practices, such provisions are necessary to prevent circumvention or evasion of the rent regulations and the Act.

[F. R. Doc. 46-17185; Filed, Sept. 20, 1946; 11:39 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing, Miami Area,[1] Amdt. 26 (§ 1388.1341)]

HOUSING IN MIAMI AREA

The Rent Regulation for Housing in the Miami Defense-Rental Area is amended in the following respects:

1. The following paragraph is added immediately following the first paragraph of section 6 (b) (2) (i):

If the purchaser has, during the period of the war emergency, served in the armed forces of the United States, the certificate shall authorize the pursuit of local remedies at the expiration of four months after the date of filing of the petition, unless the Rent Director has determined that the maximum waiting period in this area shall be three months, in which event the certificate shall authorize pursuit of local remedies at the expiration of two months after the date of filing of the petition.

2. Section 6 (b) (2) (ii) is amended to read as follows:

(ii) Where the Administrator finds (a) that equivalent accommodations are available for rent into which the tenant can move without substantial hardship or loss, or (b) that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without the removal or eviction of the tenant, or (c) that other special hardship would result, a certificate may be issued although less than twenty per cent of the purchase price has been paid and may authorize the vendor or purchaser to pursue his remedies for removal or eviction of the tenant at the expiration of a period shorter than the maximum waiting period which would otherwise be imposed under this section.

3. Section 6 (b) is amended by adding the following paragraph (4):

(4) *Change of intention.* No landlord who has obtained a certificate relating to eviction under this section 6 (b) shall use the certificate in connection with any action to remove or evict a tenant unless such removal or eviction is sought for the purpose specified in the certificate.

Any landlord whose intentions or circumstances so change that the premises, whose possession is sought, will not be used for the purpose specified in the petition or certificate shall immediately notify the Area Rent Director in writing and surrender the certificate, if issued, for cancellation.

Issued and effective September 20, 1946.

PAUL A. PORTER,
Administrator.

[1] 9 F. R. 14994; 10 F. R. 331, 1973, 2403, 5090, 11670, 14399; 11 F. R. 2115, 2447, 4031, 6136, 8162, 8164.

STATEMENT TO ACCOMPANY AMENDMENT 101 TO THE RENT REGULATION FOR HOUSING, AMENDMENT 22 TO THE RENT REGULATION FOR HOUSING IN THE ATLANTIC COUNTY DEFENSE-RENTAL AREA, AMENDMENT 30 TO THE RENT REGULATION FOR HOUSING IN THE NEW YORK CITY DEFENSE-RENTAL AREA, AMENDMENT 26 TO THE RENT REGULATION FOR HOUSING IN THE MIAMI DEFENSE-RENTAL AREA

Prior to these amendments the regulations provided that eviction certificates for purchaser occupancy would normally have a six months' waiting period, except in defense-rental areas where a three months' waiting period was established.

The regulations also formerly authorized the rent director in his discretion to waive the 20 per cent down payment requirement and all or part of the six months' waiting period where the purchaser was a veteran in need of the housing accommodations to adequately house himself and his family.

The regulations now provide that the waiting period for all veterans regardless of need for housing shall be four months in areas having six months' waiting period, and two months in areas having a three months' waiting period. The provisions authorizing waiver of the usual waiting period where a veteran needs the accommodation to adequately house his family has been eliminated. Good faith on the part of the purchaser in seeking to evict for self-occupancy will, of course, continue to be an essential requirement for the issuance of a certificate of eviction.

This amendment preserves the preferential treatment given veteran purchasers under the regulation but removes the discretionary authority formerly given the area rent director to vary the waiting period in individual cases. Experience in the application of this section has shown that a uniform standard under which purchaser and tenant are able to ascertain their respective rights with exactitude will be beneficial in the great majority of cases. Extreme cases may still be considered under the other applicable provisions of this section.

Section 6 (b) (4) has been added to the regulations to effectively prohibit the improper use of a certificate. It provides that a landlord who files a petition for a certificate relating to eviction, must notify the area rent director in writing of any change in his intended use of the certificate. If he has obtained a certificate and does not wish to use it for the purpose specified therein, he must give a similar notice and also surrender the certificate to the area rent director for cancellation.

In the judgment of the Price Administrator, these amendments are necessary and proper in order to effectuate the purposes of the Emergency Price Control Act. No provisions which might have the effect of requiring a change in established rental practices have been included in the amendments unless such provisions have been found necessary to achieve effective rent control and to prevent circumvention or evasion of the rent regulations and the Act. To the extent that the provisions of these amendments compel or may operate to compel changes in established rental practices, such provisions are necessary to prevent circumvention or evasion of the rent regulations and the Act.

[F. R. Doc. 46-17186; Filed, Sept. 20, 1946; 11:39 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Housing, New York City Area,[1] Amdt. 30 (§ 1388.1281)]

HOUSING IN NEW YORK CITY AREA

The Rent Regulation for Housing in the New York City Defense-Rental Area is amended in the following respects:

1. The following paragraph is added immediately following the first paragraph of section 6 (b) (2) (i):

If the purchaser has, during the period of the war emergency, served in the armed forces of the United States, the certificate shall authorize the pursuit of local remedies at the expiration of four months after the date of filing of the petition, unless the Rent Director has determined that the maximum waiting period in this area shall be three months, in which event the certificate shall authorize pursuit of local remedies at the expiration of two months after the date of filing of the petition.

2. Section 6 (b) (2) (ii) is amended to read as follows:

(ii) Where the Administrator finds (a) that equivalent accommodations are available for rent into which the tenant can move without substantial hardship or loss, or (b) that the vendor has or had a substantial necessity requiring the sale and that a reasonable sale or disposition of the accommodations could not be made without the removal or eviction of the tenant, or (c) that other special hardship would result, a certificate may be issued although less than twenty per cent of the purchase price has been paid and may authorize the vendor or purchaser to pursue his remedies for removal or eviction of the tenant at the expiration of a period shorter than the maximum waiting period which would otherwise be imposed under this section.

3. Section 6 (b) is amended by adding the following paragraph (4):

(4) *Change of intention.* No landlord who has obtained a certificate relating to eviction under this section 6 (b) shall use the certificate in connection with any

[1] 11 F. R. 4016, 4583, 5542, 5824, 8149, 8163.

action to remove or evict a tenant unless such removal or eviction is sought for the purpose specified in the certificate.

Any landlord whose intentions or circumstances so change that the premises, whose possession is sought, will not be used for the purpose specified in the petition or certificate shall immediately notify the Area Rent Director in writing and surrender the certificate, if issued, for cancellation.

Issued and effective September 20, 1946.

PAUL A. PORTER,
Administrator.

STATEMENT TO ACCOMPANY AMENDMENT 101 TO THE RENT REGULATION FOR HOUSING, AMENDMENT 22 TO THE RENT REGULATION FOR HOUSING IN THE ATLANTIC COUNTY DEFENSE-RENTAL AREA, AMENDMENT 30 TO THE RENT REGULATION FOR HOUSING IN THE NEW YORK CITY DEFENSE-RENTAL AREA, AMENDMENT 26 TO THE RENT REGULATION FOR HOUSING IN THE MIAMI DEFENSE-RENTAL AREA

Prior to these amendments the regulations provided that eviction certificates for purchaser occupancy would normally have a six months' waiting period, except in defense-rental areas where a three months' waiting period was established.

The regulations also formerly authorized the rent director in his discretion to waive the 20 percent down payment requirement and all or part of the six months' waiting period where the purchaser was a veteran in need of the housing accommodations to adequately house himself and his family.

The regulations now provide that the waiting period for all veterans regardless of need for housing shall be four months in areas having six months' waiting period, and two months in areas having a three months' waiting period. The provisions authorizing waiver of the usual waiting period where a veteran needs the accommodation to adequately house his family has been eliminated. Good faith on the part of the purchaser in seeking to evict for self-occupancy will, of course, continue to be an essential requirement for the issuance of a certificate of eviction.

This amendment preserves the preferential treatment given veteran purchasers under the regulation but removes the discretionary authority formerly given the area rent director to vary the waiting period in individual cases. Experience in the application of this section has shown that a uniform standard under which purchaser and tenant are able to ascertain their respective rights with exactitude will be beneficial in the great majority of cases. Extreme cases may still be considered under the other applicable provisions of this section.

Section 6 (b) (4) has been added to the regulations to effectively prohibit the improper use of a certificate. It provides that a landlord who files a petition for a certificate relating to eviction, must notify the area rent director in writing of any change in his intended use of the certificate. If he has obtained a certificate and does not wish to use it for the purpose specified therein, he must give a similar notice and also surrender the certificate to the area rent director for cancellation.

In the judgment of the Price Administrator, these amendments are necessary and proper in order to effectuate the purposes of the Emergency Price Control Act. No provisions which might have the effect of requiring a change in established rental practices have been included in the amendments unless such provisions have been found necessary to achieve effective rent control and to prevent circumvention or evasion of the rent regulations and the Act. To the extent that the provisions of these amendments compel or may operate to compel changes in established rental practices, such provisions are necessary to prevent circumvention or evasion of the rent regulations and the Act.

[F. R. Doc. 46-17187; Filed, Sept. 20, 1946; 11:39 a. m.]

PART 1400—TEXTILE FABRICS: COTTON, WOOL, SILK, SYNTHETIC, AND ADMIXTURES

[MPR 478, Amdt. 17]

COATED AND COMBINED FABRICS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.

Section 1 (a) (1) is amended to read as follows:

(1) "Coasted fabric" means any knitted or woven fabric coated with a continuous finish (for example, rubber, synthetic rubber, pyroxylin, cellulose ester, cellulose ether, synthetic resin or oxidizable oil). For the purpose of this regulation, the term "coated fabric" also includes artificial leather made from saturated non-woven fibrous products, and oilcloth, bookcloth, window shade cloth, tire cords, and supported or fabric backed sheets of vinyl film made from vinyl chloride, vinylacetate, vinyl butyral or vinylidine chloride or other vinyl resins.

This amendment shall become effective September 25, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

STATEMENT OF THE CONSIDERATIONS INVOLVED IN THE ISSUANCE OF AMENDMENT 14 TO MAXIMUM PRICE REGULATION 406 AND AMENDMENT 17 TO MAXIMUM PRICE REGULATION 478

This amendment transfers the coverage of supported vinyl resin sheetings from Maximum Price Regulation 406 to Maximum Price Regulation 478.

Vinyl resin sheetings and fabrics coated with vinyl resins, although produced by different processes serve the same purpose and are physically indistinguishable from each other. In addition, the same manufacturers produce both products.

Supported vinyl resin sheetings were priced under Section 10 of MPR 406 which provides for "in line" pricing. It was not possible to price this produets under the formula provisions since there was no basis for comparison with a "comparable" product. Under MPR 478 these products would be priced under a formula since there is a basis of comparison. No increase in the general level of prices will result in transferring coverage of these products from MPR 406 to MPR 478.

In addition, supported films are a small part of the large field of coated fabrics and since MPR 478 governs the prices for coated fabrics while MPR 406 is basically a raw materials regulation, coverage of supported vinyl resin sheetings are made subject to MPR 478.

[F. R. Doc. 46-17194; Filed, Sept. 20, 1946; 11:42 a. m.]

PART 1436—PLASTIC AND SYNTHETIC RESINS

[MPR 406, Amdt. 14]

SYNTHETIC RESINS AND PLASTIC MATERIALS AND SUBSTITUTE RUBBER

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 406 is amended by adding a new section 3 (f) to read as follows:

(f). *Supported vinyl resin sheetings (Maximum Price Regulation 478 applicable).* This regulation does not establish maximum prices for supported vinyl resin sheetings. These products are subject to the provisions of Maximum Price Regulation No. 478.

This amendment shall become effective September 25, 1946.

Issued this 20th day of September, 1946.

PAUL A. PORTER,
Administrator.

STATEMENT OF THE CONSIDERATIONS INVOLVED IN THE ISSUANCE OF AMENDMENT 14 TO MAXIMUM PRICE REGULATION 406 AND AMENDMENT 17 TO MAXIMUM PRICE REGULATION 478

This amendment transfers the coverage of supported vinyl resin sheetings from Maximum Price Regulation 406 to Maximum Price Regulation 478.

Vinyl resin sheetings and fabrics coated with vinyl resins, although produced by different processes serve the same purpose and are physically indistinguishable from each other. In addition, the same manufacturers produce both products.

Supported vinyl resin sheetings were priced under Section 10 of MPR 406 which provides for "in line" pricing. It was not possible to price this product under the formula provisions since there was no basis for comparison with a "comparable" product. Under MPR 478 these products would be priced under a formula since there is a basis of comparison. No increase in the general level of prices will result in transferring coverage of these products from MPR 406 to MPR 478.

In addition supported films are a small part of the large field of coated

fabrics and since MPR 478 governs the prices for coated fabrics while MPR 406 is basically a raw materials regulation, coverage of supported vinyl resin sheetings are made subject to MPR 478.

[F. R. Doc. 46-17190; Filed, Sept. 20, 1946; 11:41 a. m.]

PART 1499—COMMODITIES AND SERVICES

[SR 14E, Amdt. 56]

ADJUSTED MAXIMUM PRICES FOR SPECIFIED MANUFACTURED ITEMS

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Regulation 14E is amended in the following respects:

1. Appendix B of section 4.1 is amended to read as follows:

APPENDIX B—MATERIAL COST INCREASES

NOTE: If a commodity is made of a material listed in Column 1 of this Appendix B for which the permitted cost increase in Column 2 is "None" then no material cost increase whatsoever is permitted to be made for that commodity under any of the provisions of this section.

Column 1	Column 2
Materials	*Permitted cost increase (cents per yard)*
Cotton [6] (by construction):	
Class A, print cloth:	
*39" to 40" width, 80 x 92, 3.50 yds. per lb	7.0
*39" width, 80 x 80, 4.00 yds. per lb	6.1
*39" width, 68 x 72, 4.75 yds. per lb	5.0
*39" width, 68 x 64, 4.85 yds. per lb	4.8
*38½" width 64 x 60, 5.35 yds. per lb	4.7
Any other construction with 125 threads per square inch and over	5.0
Any other construction with 124 threads per square inch and under	4.3
Carded broadcloth, plain and slub:	
*36½" width, 80 x 60, 5.00 yds. per lb	4.7
*37" to 37½" width, 100 x 60, 4.10 yds. per lb	5.8
All other carded broadcloth with 161 threads per square inch and over	6.6
All other carded broadcloth with 160 threads per square inch and under	5.2
Carded poplin, plain and slub, all constructions	7.0
Class A sheetings:	
Indianhead	8.8
All others	8.3
Class B sheetings	6.4
Class C sheetings:	
*40" 64 x 64, 3.15 yds. per lb	7.6
*40" 56 x 56, 3.60 yds. per lb	6.6
*40" 60 x 52, 3.60 yds. per lb	6.6
*40" 56 x 48, 4.30 yds. per lb	5.5
All other constructions	4.0
Drills:	
*37" width, 2.25 yds. per lb. and heavier	11.0
*37" width, 2.26 yds. per lb. to 2.75 yds. per lb	8.8
*37" width, 2.76 yds. per lb. and lighter	7.7
Jeans: *38" width, 2.85 yds. per lb	8.4
Four leaf Carded twills:	
*37" width, 1.75 yds. per lb. and heavier	14.8
*37" width, 1.76 yds. per lb. to 2.25 yds. per lb	11.6
*37" width, 2.26 yds. per lb. to 2.85 yds. per lb	9.8
*37" width, 2.86 yds. per lb. and lighter	8.1
Ducks: Single and double filling enameling, *38" width, 8-9 oz	11.3
Denims:	
Mill finished	12.3
Sanforized	13.9
Pants coverts: *2.00 yds. per lb., sanforized	11.3
Pinchecks: *36" width, 84 x 42, 2.40 yds. per lb., sanforized	10.4
Whipcord	11.2
Chambray: *3.50 yds. per lb., sanforized	8.9
Corduroy, 36" width:	
*Standard thickset	15.6
*Standard thickset prints	17.9
*All others	13.8
Warp sateens	10.8
Carded gabardine	12.7
All-American cotton blanket robe cloth	24.0
Combed broadcloths (all constructions)	13.4
Combed poplin:	
*37" to 37½" width, 116 x 56, 3.25 yds. per lb	11.4
*37½" to 38" width, 102 x 48, 3.15 yds. per lb	16.4
Combed lawns (all constructions)	6.8
Voile, *39" width, 60 x 52, 8.50 yds. per lb	5.3
Wool: [6] All wool materials	None
Rayon: [6] All rayon materials	None

[6] As used in this Appendix B: "Cotton" material means a woven fabric containing 75% or more of cotton fiber. "Wool" material means a fabric woven from yarns spun on the woolen or worsted systems and containing 25% or more by weight of new wool fiber (but not including animal hair other than the fleece of the sheep or lamb, reprocessed or reused wool); "Rayon" material means a woven fabric containing less than 25% wool fiber by weight, but of which 50% or more, by weight, of the remaining fibers are rayon.

*Other widths of the same construction having the same thread count and the same ratio of weight to width as this fabric must be pro-rated, i. e., the increase factor must be raised or lowered in the same proportion in which the width has changed.

2. Section 4.1 (c) (1) (ii), Step 2 is amended to read as follows:

Step 2. Find the current average net cost per yard of that principal material as shown on all invoices from the seller's suppliers of that principal material bearing dates from July 26, 1946 to September 20, 1946.

3. Section 4.1 (d) is amended so that the first sentence of that paragraph reads as follows:

On and after September 20, 1946 any commodity covered by this section may be sold or delivered at the adjusted maximum price described in this paragraph.

4. Section 4.1 (e) (1) (i) is amended to read as follows:

(i) In the case of all principal materials for which he calculates his permitted material cost increases under paragraph (c) (1) (ii) above, all invoices for such materials bearing dates between January 1, 1942 and March 31, 1942 and those bearing dates between July 26, 1946, and September 20, 1946.

5. In section 4.1 (e) (4), subparagraph (ii) thereof (which was added by Amendment 50 to Supplementary Regulation 14E) is hereby deleted.

6. Section 4.1 is amended by adding the following paragraph:

(g) *Saving clause.* Wherever a manufacturer properly adjusted his maximum price for any style under this section prior to September 20, 1946, he may continue to sell at the adjusted maximum price reported and is not required to file a new report under this section.

This amendment shall become effective September 20, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

STATEMENT OF CONSIDERATIONS INVOLVED IN THE ISSUANCE OF AMENDMENT 56 TO SUPPLEMENTARY REGULATION 14E

The accompanying action amends section 4.1 of Supplementary Regulation 14E. By Amendments 47, 50 and 54 to SR 14E, price increases were granted to manufacturers of certain base period staple items to the extent of 90% of the difference between current direct labor costs and those in the base period. To manufacturers of cotton garments, a further allowance was made of 90% of the difference between the base period material costs and the ceiling prices for materials on June 13, 1946, issuance date of Amendment 47. Since that date, three amendments to SO 131, governing basic fabric prices, have resulted in substantial increases of ceiling prices for cotton textiles. This amendment reflects those higher prices in a revised Appendix B, the table of permitted fabric cost increases per yard for listed constructions. This amendment also changes the period to be used in calculating the current average net cost per yard for unlisted constructions to the period July 26, 1946 to September 20, 1946.

At the time Amendment 47 was issued it was thought that the listing of constructions in groups in Appendix B was satisfactory because the manufacturers producing the commodities covered by this regulation was believed to use the whole range of fabrics within each group. At that time increases in all constructions in certain groups, notably Class A and Class C Sheetings and corduroys, were averaged and only one increase factor for each group was included in Appendix B. Representations since made to the Office of Price Administration by industries affected, indicate that many companies using these fabrics use them exclusively in one or two constructions. The result has been a squeeze on those manufacturers using constructions with higher increases exclusively and a windfall for those using the constructions with lower increases exclusively. This was also true for one group of constructions of Class A print cloth. To correct this situation, the list of constructions in Appendix B has been expanded

and a separate increase factor has been computed for each construction listed.

Section 4.1 of SR 14E now requires a 90 day waiting period after an adjustment has been granted before a further adjustment report may be filed. In order to make the provisions of the accompanying amendment effective as soon as possible this provision has been removed. Section 4.1 (e) (2) of SR 14E still requires however, that no person may deliver any commodity at an adjusted maximum price established under this section until he has received approval from Office of Price Administration of the adjusted maximum prices reported to OPA, or 20 days after he has mailed such report to the Apparel Price Branch, Office of Price Administration, Washington, D. C.

This action has been taken as a result of representations made by, and after consultation with representatives of the industry affected.

[F. R. Doc. 46-17189; Filed, Sept. 20, 1946; 11:41 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 26—ORGANIZATION AND FUNCTIONS OF THE NAVAL ESTABLISHMENT

NOTE: The original of F. R. Doc. 46-15395, appearing at page 177A-159, Part II, Section 1, of the issue for Sept. 11, 1946, is corrected as follows:

In the table of contents for Part 26, the entry "26.12 United States Marine Corps" is redesignated "26.12a United States Marine Corps," and "26.12 Bureau of Yards and Docks" is inserted immediately preceding it. Section 26.12 *United States Marine Corps*, on page 177A-172, is corrected to read "§ 26.12a *United States Marine Corps.*"

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

PART 0—ORGANIZATION AND ASSIGNMENT OF WORK

DUTIES OF THE CHAIRMAN OF THE COMMISSION

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 5th day of February A. D. 1945.

Section 17 of the Interstate Commerce Act, as amended, being under consideration: It is ordered, that the following section be added after § 0.5, *Transfer of Commissioner:*

§ 0.5a *Duties of the Chairman of the Commission.* The following duties and responsibilities are delegated to the Chairman (or, in his absence, to the Acting Chairman who shall be the available senior Commissioner in point of service) to be exercised in addition to his statutory duties and any other duties that may be assigned or delegated to him:

(a) He shall be the executive head of the Commission.

(b) It shall be his duty and responsibility to see that the work of the Commission is promptly and efficiently dispatched. To accomplish this purpose he is specifically authorized and directed (1) to bring to the attention of any Commissioner or Division any lagging or failure in the work under his or its supervision, (2) to report periodically, not less than four times a year, to the Commission at regular or special conferences on the progress of all the Commission's work, and (3) to suggest ways and means of correcting or preventing any unusual or unnecessary delays in the disposition of any official matters which he is unable otherwise to have remedied.

(c) He shall be an ex officio member of Division One.

(d) He shall preside at all Commission arguments and conferences and shall exercise general control over the Commission's argument calendar and conference agenda.

(e) He shall have general supervision of the minutes of the Commission and shall see that they are accurately and promptly recorded.

(f) Except in instances where the duty is otherwise delegated or provided for, he shall act as the correspondent and spokesman for the Commission in all matters involving relations with the heads of other agencies of Government, and in any other case where an official expression of the Commission is required.

And it is further ordered, that this order shall continue in effect until the further order of the Commission.

(24 Stat. 385, 25 Stat. 861, 40 Stat. 270, 41 Stat. 492, 493, 47 Stat. 1368, 54 Stat. 913; 49 U. S. C. 17)

By the Commission.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 46-17001; Filed, Sept. 20, 1946; 9:29 a. m.]

Chapter II—Office of Defense Transportation

PART 500—CONSERVATION OF RAIL EQUIPMENT

CARLOAD FREIGHT TRAFFIC

CROSS REFERENCE: For exceptions to certain provisions of Part 500 see Part 520, *infra.*

[Special Direction ODT 18A-1, Amdt. 6]

PART 520—CONSERVATION OF RAIL EQUIPMENT—EXCEPTIONS, PERMITS, AND SPECIAL DIRECTIONS

CARLOAD FREIGHT TRAFFIC

Pursuant to the provisions of § 500.73 of General Order ODT 18A, Revised, as amended (11 F. R. 8229, 8829), Special Direction ODT 18A-1, as amended (8 F. R. 14481; 9 F. R. 117, 7587; 10 F. R. 12456, 12747; 11 F. R. 9084), is hereby further amended by changing or adding the items shown below to read as follows:

10. *Bolts, nuts, rivets, screws, washers, nails, and builders hardware.* In packages, in closed freight cars, shall be loaded to a weight of not less than 60,000 pounds.

* * * * *

166. *Phosphate of calcium, phosphate of sodium, phosphate of ammonia, disodium phosphate.* In packages, shall be loaded to a weight of not less than 50,000 pounds.

* * * * *

231. (e) Fire brick shall be loaded to a weight of not less than 70,000 pounds.

* * * * *

281. (d) Tile, facing, or floor, clay, or earthenware, glazed or not glazed, not otherwise named herein, with or without backing, shall be loaded to a weight not less than 65,000 pounds.

* * * * *

390. *Foodstuffs.* (a) In cans, packed in cardboard or fibreboard cartons, shall be loaded to a weight of not less than 65,000 pounds;

(b) In glass of a capacity of one quart or less, packed in cardboard or fibreboard cartons, shall be loaded not less than six tiers high, covering the entire floor space of the car;

(c) In glass of a capacity greater than one quart, packed in cardboard or fibreboard cartons, shall be loaded not less than five tiers high, covering the entire floor space of the car.

* * * * *

455. *Fruit, dried.*

460. (a) In bags, or in bulk, shall be loaded to an elevation of not less than four feet from the floor of the car;

465. (b) In boxes, shall be loaded to a weight not less than 70,000 pounds.

* * * * *

645. *Liquids.* (a) In glass of a capacity of one quart or less, packed in cardboard or fibreboard cartons, shall be loaded not less than six tiers high, covering the entire floor space of the car;

(b) In glass of a capacity greater than one quart but not greater than five gallons, packed in cardboard or fibreboard cartons, shall be loaded not less than five tiers high, covering the entire floor space of the car;

(c) In glass of a capacity greater than five gallons, packed in cardboard or fibreboard cartons, shall be loaded not less than four tiers high, covering the entire floor space of the car.

646. *Liquids not otherwise provided for herein, pastes, and semi-liquids.* Straight or mixed carloads, in cardboard, fibreboard, or fibrepack containers, or in metal drums or wooden barrels, where each such container, drum, or barrel has a capacity of not less than 40 gallons, shall be loaded on end, one tier high, covering the entire floor space of the car.

* * * * *

710. *Almonds and other nuts not otherwise named herein.* Shelled or unshelled, in packages, shall be loaded to a weight not less than 60,000 pounds.

* * * * *

950. *Dates.* In packages, shall be loaded to a weight of not less than 50,000 pounds.

955. *Paints, varnishes, and lacquers.* In packages, shall be loaded to a weight of not less than 50,000 pounds.

960. *Non-perishable commodities not otherwise provided for herein.*

965. (a) In bales, weighing 800 pounds or more each, and measuring 60 inches or more in height, shall be loaded not less than one tier high, covering the entire floor space of the car;

970. (b) In barrels or drums, weighing 500 pounds or more each, or of a capacity of not less than 40 gallons each, shall be loaded on end, not less than one tier high, covering the entire floor space of the car.

This Amendment 6 to Special Direction ODT 18A–1 shall become effective September 20, 1946.

(Title III of the Second War Powers Act, 1942, as amended, 56 Stat. 177, 50 U. S. C. App. 633, 58 Stat. 827, 59 Stat. 658, Public Law 475, 79th Congress; E. O. 8989, as amended, 6 F. R. 6725, 8 F. R. 14183; E. O. 9729, 11 F. R. 5641; and General Order ODT 18A, Revised, as amended, 11 F. R. 8229, 8829)

Issued at Washington, D. C., this 18th day of September 1946.

A. H. GASS,
Director, Railway Transport Department, Office of Defense Transportation.

[F. R. Doc. 46–17002; Filed, Sept. 20, 1946; 9:27 a. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Land Management.

[Misc. 1424913]

CALIFORNIA

RESTORATION ORDER 1163 UNDER FEDERAL POWER ACT

SEPTEMBER 10, 1946.

Upon application for Power Project No. 78, filed October 29, 1920, the following described land was reserved for power purposes:

MOUNT DIABLO MERIDIAN

T. 11 N., R. 11 E.,
Sec. 23, SE¼SW¼.

The area described contains 40 acres.

Pursuant to the determination of the Federal Power Commission (DA–532, California) and in accordance with Departmental Order No. 1799 of March 19, 1943, 8 F. R. 3743, that portion of the above-described land lying north of the north project boundary which is a line 100 feet distant horizontally from the center line of the conduit for Project No. 78, as shown on Exhibit E–2, Sheets 4 and 5 (FPC Nos. 78–3) and 78–4), is hereby opened to application, petition, location, or selection under the United States mining laws only, subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1063), as amended by the act of August 26, 1935 (49 Stat. 838, 846, 16 U. S. C. sec. 818), and subject to the special restriction that no shaft, tunnel, building, or other improvement shall be so located or constructed upon the aforesaid land as to interfere with the construction or maintenance of the existing Project No. 78 or of any future power development of the South Fork of the American River and its tributaries.

This order shall not become effective to change the status of the land until 10:00 a. m. on November 12, 1946, at which time the land shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to disposition under the United States mining laws only, as above provided.

FRED W. JOHNSON,
Acting Director.

[F. R. Doc. 46–16950; Filed, Sept. 20, 1946; 8:50 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 679 et al.]

NORTHWEST AIRLINES, INC. ET AL.; DETROIT-WASHINGTON SERVICE

NOTICE OF POSTPONEMENT OF HEARING

In the matter of application of Northwest Airlines, Inc., and other applications for certificates and amendments of certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that the hearing in the above-entitled proceeding has been postponed from October 15, 1946, and is now assigned for October 21, 1946, at 10 a. m. (eastern standard time) in Room 5132 of the Department of Commerce Building, 14th Street between E Street and Constitution Avenue NW., Washington, D. C., before Examiner Edward T. Stodola.

Dated Washington, D. C., September 17, 1946.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46–16962; Filed, Sept. 20, 1946; 8:53 a. m.]

[Docket No. 2411]

AMERICAN PRESIDENT LINES, LTD., ET AL.

NOTICE OF POSTPONEMENT OF ORAL ARGUMENT

In the matter of the petition of American President Lines, Ltd., and certain other steamship companies to investigate and study the effect of competitive conditions that have arisen through the implementation of recent international air agreements, and to review and revise its policy with respect to the participation of American steamship companies in foreign and overseas air transportation.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that oral argument limited to the question of whether the petition should be granted, now assigned to be held on September 20, 1946, is hereby postponed to be held on September 27, 1946, 10 a. m., eastern standard time, in Room 5044 Commerce Bldg., 14th Street and Constitution Ave., NW., Washington, D. C., before the Board.

Dated Washington, D. C., September 18, 1946.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46–17003; Filed, Sept. 20, 1946; 8:53 a. m.]

DEPARTMENT OF AGRICULTURE.

Production and Marketing Administration.

MARKETING QUOTAS FOR FIRE-CURED AND DARK AIR-CURED TOBACCO FOR 1947–48 MARKETING YEAR

NOTICE OF HEARING

A public hearing will be held at the Elks Building, Hopkinsville, Kentucky, October 3, 1946, at 9:30 a. m. (c. s. t.), for the purpose of considering the provisions of regulations to be issued governing the establishment of farm acreage allotments and normal yields for marketing quotas to be in effect during the 1947–48 marketing year for fire-cured and dark air-cured tobacco. Such allotments and yields will be established pursuant to applicable provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C., Sup. 1312, 1313).

By virtue of the amendment to the act approved July 28, 1945 (Public Law 163, 79th Congress; 59 Stat. 506) an acreage not in excess of 5 per centum of the total acreage allotted to all farms in each State for the 1943–44 marketing year shall be available for adjusting 1947 acreage allotments for old farms, and an acreage not in excess of 5 per centum of the acreage allotted to all farms for the 1943–44 marketing year shall be available for establishing 1947 allotments for new farms (farms on which no tobacco was produced in the last five years). The principal matters for consideration at the hearing relate to (1) whether the regulations should provide for the maximum 5 per centum acreages for allotment to old and new farms or whether lesser acreages should be allotted and, if so, the respective amounts, and (2) the provisions of the regulations stating the conditions under which 1947 allotments for old farms will be adjusted with the acreage made available for that purpose and the conditions which will apply to the establishment of 1947 allotments for new farms.

Any interested person, whether or not he attends the hearing, may submit his views in writing with respect to the proposed regulations to the Director, Tobacco Branch, Production and Marketing Administration, Washington 25, D. C. All submissions must be postmarked not later than October 5, 1946.

Issued at Washington, D. C., this 18th day of September 1946.

[SEAL] ROBERT H. SHIELDS,
Administrator.

[F. R. Doc. 46–17031; Filed, Sept. 20, 1946; 8:53 a. m.]

CIVILIAN PRODUCTION ADMINISTRATION.

[C–438]

DUNMAR ROBES, LTD.

CONSENT ORDER

Dunmar Robes, Ltd., located at 45 West 34th Street, New York, New York, en-

gaged in the manufacture of men's robes, was charged by the Civilian Production Administration on July 11, 1946 with having furnished false and misleading information by falsely certifying on two purchase orders dated November 20, 1945 that rayon linings would be used in accordance with the provisions of paragraph (e) of Direction 28 to Order M–328, thereby subjecting the company to the administrative action provided for by the provisions of § 944.18 of Priorities Regulation No. 1, and was further charged by the Civilian Production Administration on July 11, 1946 with having violated Order M–328 by failing to use or dispose of 1,455 yards of rayon in accordance with the requirements of Direction 28 to Order M–328. Dunmar Robes, Ltd. admits the violations as charged, does not desire to contest the same, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Dunmar Robes, Ltd., the Regional Compliance Manager, the Regional Attorney, and upon the approval of the Compliance Commission; *It is hereby ordered,* That:

(a) Dunmar Robes, Ltd. shall not for 60 days from the effective date of this order apply or extend any ratings, nor shall any authorization to apply or extend ratings be granted to it during such period.

(b) Nothing contained in this order shall be deemed to relieve Dunmar Robes, Ltd., from any restriction, prohibition, or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

(c) The restrictions and prohibitions contained herein shall apply to Dunmar Robes, Ltd., its successors and assigns or persons acting on its behalf. Prohibitions against the taking of any action include the taking indirectly as well as directly of any such action.

(d) This order shall take effect on the date of issuance.

Issued this 19th day of September 1946.

CIVILIAN PRODUCTION ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46–17143; Filed, Sept. 19, 1946; 4:49 p. m.]

FEDERAL POWER COMMISSION.

[Project No. 459]

UNION ELECTRIC CO. OF MISSOURI

ORDER POSTPONING HEARING

SEPTEMBER 13, 1946.

It appearing that:

(a) By its order of July 23, 1946, the Commission fixed a public hearing to be held in Jefferson City, Missouri, on October 14, 1946, concerning the operation by Union Electric Company of Missouri, of its Bagnell Project (Project No. 459), its relation to the flood conditions on the Osage and Missouri Rivers below the Bagnell dam, and possible changes in the method of operation which may be proposed;

(b) Several pressing matters pending before the Commission make it desirable to postpone the aforementioned hearing until a later date;

The Commission finds that:

Good cause exists for postponement of said hearing; and

It is ordered, That:

The hearing set for October 14, 1946, upon the subject matters mentioned in paragraph (a) above, is hereby postponed to commence January 13, 1947, to be held in Room 305, U. S. Post Office and Court House, in Jefferson City, Missouri, beginning at 10:00 o'clock a. m.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 46–16968; Filed, Sept. 20, 1946; 8:53 a. m.]

[Docket No. IT–5331]

ARIZONA EDISON CO., INC.

NOTICE OF APPLICATION

SEPTEMBER 16, 1946.

Notice is hereby given that Arizona Edison Company, Inc., of Douglas, Arizona, has filed application pursuant to the provisions of section 202 (e) of the Federal Power Act (16 U. S. C. 824a (e)) for authority to transmit electric energy in an amount not to exceed 1,500,000 kilowatt-hours per year at a rate not in excess of 300 kilowatts, over its existing and proposed transmission lines in Arizona to a point on the international boundary line, United States and Mexico, adjacent to Agua Prieta, Sonora, Mexico, for sale and delivery to Cia de Servicios Publicos de Agua Prieta, S. A.

Any person desiring to be heard or to make any protest with reference to said application should, on or before October 1, 1946, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure under the Federal Power Act.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 46–16985; Filed, Sept. 20, 1946; 9:07 a. m.]

[Docket No. G–762]

NATURAL GAS PIPELINE CO. OF AMERICA

ORDER FIXING DATE OF HEARING

SEPTEMBER 16, 1946.

Upon consideration of the application filed on July 29, 1946, as amended on September 6, 1946, by Natural Gas Pipeline Company of America (Applicant) for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of the following described facilities:

(a) A tap, a pipeline connection therewith, regulating and metering settings and appurtenances, in the Northwest Quarter of the Northeast Quarter of section 32 in Hartland Township near the Point where Applicant's 20-inch lateral line (a 20-inch lateral line extending northeasterly from Applicant's compressor station near Geneseo, Illinois, to the Illinois-Wisconsin State Line) crosses the distribution system of Western United Gas and Electric Company.

(b) A tap, a pipeline connection therewith, regulating and metering settings and appurtenances, in the Southwest Quarter of the Southwest Quarter of section 2 in Nunda Township near the point where the North Chicago lateral (a 16-inch lateral line extending from the 20-inch lateral line described in paragraph (a) above, to a point near Volo, Illinois, and authorized in Docket No. G–651) will cross the distribution system of Western United Gas and Electric Company.

The Commission orders that:

(A) A public hearing be held commencing on September 26, 1946, at 10:00 a. m. (e. s. t.), in the hearing room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue NW., Washington, D. C., respecting the matters involved and the issues presented in this proceeding.

(B) Interested State commissions may participate in this hearing as provided in the Commission's rules of practice and procedure.

By the Commission.

[SEAL] J. H. GUTRIDE,
Acting Secretary.

Date of Issuance: September 18, 1946.

[F. R. Doc. 46–16986; Filed, Sept. 20, 1946; 9:07 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 611]

UNLOADING OF SAND AND GRAVEL AT HARRISBURG, PA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 17th day of September A. D. 1946.

It appearing, that 9 cars, containing sand and gravel, at Harrisburg, Pennsylvania, on The Pennsylvania Railroad Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action. It is ordered, that:

Sand and gravel at Harrisburg, Pa., be unloaded. (a) The Pennsylvania Railroad Company, its agents or employees, shall unload immediately the following cars now on hand at Harrisburg, Pennsylvania, consigned to John McConnell and Company:

Initial and No.		*Content*
RDG	73452	Sand
RDG	73557	Do.
PRR	170965	Do.
RDG	86089	Gravel
RDG	65329	Do.
RDG	67433	Do.
RDG	86231	Do.
RDG	76111	Do.
RDG	88213	Do.

(b) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required

by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire. (40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901, 911; 49 U. S. C. 1 (10–(17), 15 (2))

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon The Pennsylvania Railroad Company, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 46–17000; Filed, Sept. 20, 1946; 9:07 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 7298]

KURT SCHMIEDER

In re: Stock, bonds and bank account owned by Kurt Schmieder. F–28–572–A–1, F–28–572–E–1.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Kurt Schmieder, whose last known address is Meerane, Saxony, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Those certain shares of stock described in Exhibit A, attached hereto and by reference made a part hereof, registered in the name of Cobb & Company, beneficially owned by Kurt Schmieder, and presently in the custody of The New York Trust Company, 100 Broadway, New York, New York, at its branch office located at Madison Avenue and 40th Street, New York, New York, together with all declared and unpaid dividends thereon,

b. Four (4) American Telephone & Telegraph Company 3% convertible debenture bonds, due September 1, 1956, each of $100 face value, bearing the numbers C15–253 to C15–256 inclusive, issued in the name of Bearer and presently in the custody of The New York Trust Company, 100 Broadway, New York, New York, at its branch office located at Madison Avenue and 40th Street, New York, New York, together with any and all rights thereunder and thereto, and

c. That certain debt or other obligation owing to Kurt Schmieder by The New York Trust Company, 100 Broadway, New York, New York, arising out of a checking account entitled Kurt Schmieder, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to constitute an admission by the Alien Property Custodian of the lawfulness of, or acquiescence in, or licensing of, any set-offs, charges or deductions, nor shall it be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC–1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on July 30, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Name and address of corporation	State of incorporation	Type of stock	Par value	Certificate Nos.	Number of shares
Great Northern Railway Co., Great Northern Bldg., St. Paul, Minn.	Minnesota	Preferred	No par value	O17565	30
				12368	100
				12369	100
				12370	100
				12371	100
				12372	100
Simmons-Boardman Publishing Corp., 30 Church St., New York, N. Y.	Delaware	$3 cumulative convertible preference.	do	WPU 726	66
				WPC 255	100
				WPC 256	100
American Telephone & Telegraph Co., 195 Broadway, New York, N. Y.	New York	Capital	$100.00	JN 38950	35
Electric Bond & Share Co., 2 Rector St., New York, N. Y.	do	Common	$5.00	NO 387411	77
				43666	1
General Electric Co., 1 River Rd., Schenectady, N. Y.	do	do	No par value	NYC 271054	100
				NYC 271055	100
				NYC 271056	100
				NYC 271057	100
Radio Corp. of America, 30 Rockefeller Plaza, New York, N. Y.	Delaware	do	do	WO 192132	66
Union Carbide & Carbon Corp., 30 East 42d St., New York, N. Y.	New York	Capital	do	A 70271	100
				A 70272	100

[F. R. Doc. 46–16987; Filed, Sept. 20, 1946; 8:05 a. m.]

[Vesting Order 7521]

HENRY REHBACH

In re: Estate of Henry Rehbach, deceased. File No. F–28–1496; E. T. sec. 7068.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Margaret Rehbach in and to the estate of Henry Rehbach, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Margaret Rehbach, Germany.

That such property is in the process of administration by the County Treasurer

of Monroe County, as Depositary, acting under the judicial supervision of the Surrogate's Court of Monroe County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 4, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16988; Filed, Sept. 20, 1946; 8:50 a. m.]

[Vesting Order 7523]

OTTO ROTH

In re: Estate of Otto Roth, deceased. File No. D-28-10368; E. T. sec. 14758.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Emma Stieh, Ernst Roth, Karl Roth and Kaethe Roth, and each of them, in and to the estate of Otto Roth, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Emma Stieh, Germany.
Ernst Roth, Germany.
Karl Roth, Germany.
Kaethe Roth, Germany.

That such property is in the process of administration by Elizabeth Marie Roth, as executrix of the estate of Otto Roth, deceased, acting under the judicial supervision of the Surrogate's Court, Bronx County, State of New York;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 4, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16989; Filed, Sept. 20, 1946; 8:49 a. m.]

[Vesting Order 7524]

HENRY SCHNABEL

In re: Estate of Henry Schnabel, deceased. File No. D-28-10289; E. T. sec. 14659.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Martha Hulda Heckel-Singer in and to the estate of Henry Schnabel, deceased,

is property payable or deliverable to, or claimed by, a national of a designated enemy country, Germany, namely,

National and Last Known Address

Martha Hulda Heckel-Singer, Germany.

That such property is in the process of administration by Sophie Hubert, as Executrix, acting under the judicial supervision of the Surrogate's Court of Queens County, New York;

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 4, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16990; Filed, Sept. 20, 1946; 8:49 a. m.]

[Supp. Vesting Order 7531]

MARGARET THEIS

In re: Estate of Margaret Theis, also known as Margaret Macy, deceased. File D-57-414; E. T. sec. 14077.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Ladislaus Mezey and Ana Rosenzweig, and each of them, in and to the Estate of Margaret Theis, also known as Margaret Macy, deceased,

is property payable or deliverable to or claimed by, nationals of a designated enemy country, Rumania, namely,

Nationals and Last Known Address

Ladislaus Mezey, Rumania.
Ana Rosenzweig, Rumania.

That such property is in the process of administration by Rose Viliani, as Administratrix with the will annexed, acting under the judicial supervision of the Superior Court of the State of California, in and for the County of Los Angeles;

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Rumania);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 4, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16991; Filed, Sept. 20, 1946; 8:49 a. m.]

[Vesting Order 7610]

FRED WILKENING

In re: Estate of Fred Wilkening, deceased. File D-28-11049; E. T. sec. 15472.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Augusta Droste, Lena Lange, Karl Wilkening, Henry Wilkening, Christian Herwig and William Herwig, and each of them, in and to the Estate of Fred Wilkening, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Germany, namely,

Nationals and Last Known Address

Augusta Droste, Germany.
Lena Lange, Germany.
Karl Wilkening, Germany.
Henry Wilkening, Germany.
Christian Herwig, Germany.
William Herwig, Germany

That such property is in the process of administration by O. B. Pickett, as Administrator, acting under the judicial supervision of the County Court of Creek County, Sapulpa, Oklahoma,

And determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action required by law, including appropriate consultation and certification, and deeming it necessary in the national interest,

hereby vests in the Alien Property Custodian the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall it be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

The term "national" as used herein shall have the meaning prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on September 17, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

[F. R. Doc. 46-16992; Filed, Sept. 20, 1946; 8:49 a. m.]

[Vesting Order 500A-192]

COPYRIGHTS OF JULIUS SPRINGER, GERMAN NATIONAL

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations, of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Japan, Bulgaria, Hungary, and Rumania, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following: *Provided*, That in the cases of persons who are residents of, or organized under the laws of, or have their principal places of business in, Bulgaria, Hungary, and Rumania, such right, title, interest and claim shall have been held by said persons on or before December 7, 1945:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian, to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and

when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on July 22, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown.....	Beilsteins Handbuch der Organischen Chemie. Vierte Auflage. Zweites Ergänsungswerk. Bearbetit von Friedrich Richter Sechster Band (6). 1944.	Friedrich Konrad Beilstein of Germany (nationality, German).	Julius Springer, Berlin, Germany (nationality, German).	Author and owner.

[F. R. Doc. 46–16993; Filed, Sept. 20, 1946; 8:48 a. m.]

[Vesting Order 500A–193]

COPYRIGHTS OF JUL. HEINR. ZIMMERMAN, GERMAN NATIONAL

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Japan, Bulgaria, Hungary, and Rumania, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following: *Provided,* That in the cases of persons who are residents of, or organized under the laws of, or have their principal places of business in, Bulgaria, Hungary, and Rumania, such right, title, interest and claim shall have been held by said persons on or before December 7, 1945:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on July 23, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown.....	Sonate für Flote oder Violine (revised by Christian Dobereiner).	Antonio Lotti (nationality not established).	Jul. Heinr. Zimmerman, Leipzig, Germany (1927) (nationality German).	Owner.

[F. R. Doc. 46–16994; Filed, Sept. 20, 1946; 8:48 a. m.]

[Vesting Order 500A–194]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Japan, Bulgaria, Hungary, and Rumania, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following: *Provided*, That in the cases of persons who are residents of, or organized under the laws of, or have their principal places of business in, Bulgaria, Hungary, and Rumania, such right, title, interest and claim shall have been held by said persons on or before December 7, 1945:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on July 24, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Eigenschaften und Anwendung der Indanthrenfarbstoffe (no date).	Unknown	I. G. Farbenindustrie Aktiengesellschaft, Frankfurt a. M., Germany (nationality, German).	Owner.
Unknown	Fertigungstechnik und Gute Abbrenngeschweisster Verbindungen.	Hans Kilger (nationality not established).	Friedrich Vieweg and Sohn, Braunschweig, Germany, 1936 (nationality, German).	Owner.
Unknown	Die Geschichte der Kinderheilkunde. Mit 99 Abbildungen.	Johann v. Bokay (nationality not established).	Julius Springer, Berlin, Germany, 1922 (nationality, German).	Owner.

[F. R. Doc. 46–16995; Filed, Sept. 20, 1946; 9:27 a. m.]

[Vesting Order 500A–195]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows:

All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5

of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations, of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Japan, Bulgaria, Hungary, and Rumania, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following: *Provided*, That in the cases of persons who are residents of, or organized under the laws of, or have their principal places of business in, Bulgaria, Hungary, and Rumania, such right, title, interest and claim shall have been held by said persons on or before December 7, 1945:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC–1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on July 24, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Handbook for Economical Sheet Metal Working and Pressing.	Unknown	L. Schuler, Goeppingen, Germany, 1937 (nationality, German).	Owner.
Unknown	Jahrbuch der Deutschen Akademie der Luftfahrtforschung for the years 1937/38 through 1943/44. (7 volumes.)	Unknown	R. Oldenbourg, München und Berlin, Germany (nationality, German).	Owner.
Unknown	Jahrbuch der Deutschen Luftfahrtforschung. For the years 1937 through 1942. (6 volumes.) Compiled by Zentrale für wissenschaftliches Berichtswesen über Luftfahrtforschung.	Unknown	R. Oldenbourg, München und Berlin, Germany (nationality, German).	Owner.

[F. R. Doc. 46–16996; Filed, Sept. 20, 1946; 9:29 a. m.]

[Vesting Order 500A–196]

COPYRIGHTS OF WILHELM KNAPP, GERMAN NATIONAL

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Japan, Bulgaria, Hungary, and Rumania, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following: *Provided*, That in the cases of persons who are residents of, or organized under the laws of, or have their principal places of business in, Bulgaria, Hungary, and Rumania, such right, title, interest and claim shall have been held by said persons on or before December 7, 1945:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of

copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

The term "national" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on August 14, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Die Industrie des Kalziumkarbides. xvi, 518 p. (1930). (Monographien über angewandte Elektrochemie. Bd. 51.)	Rudolf Taussig (nationality not established).	Wilhelm Knapp, Halle (Saale), Germany (Nationality, German).	Owner.

[F. R. Doc. 46-16997; Filed, Sept. 20, 1946; 9:29 a. m.]

[Vesting Order 500A-197]

COPYRIGHTS OF J. C. HINRICHS, GERMAN NATIONAL

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature, under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Japan, Bulgaria, Hungary, and Rumania, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following; *Provided*, That in the cases of persons who are residents of, or organized under the laws of, or have their principal places of business in, Bulgaria, Hungary, and Rumania, such right, title, interest and claim shall have been held by said persons on or before December 7, 1945:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof, in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the

powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

The term "national" as used herein shall have the meaning prescribed in section 10 of said Executive Order.

Executed at Washington, D. C., on August 14, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Der Sinn der Bergpredigt. Ein Beitrag zum Geschichtlichen verständnis der Evangelien und zum Problem der Richtigen Exegese. Untersuchungen zum Neuen Testament. Herausgegeben von H. Windisch. Heft 16. 1937.	Hans Windisch (nationality not established).	J. C. Hinrichs, Verlag, Leipzig, Germany (nationality, German).	Owner.

[F. R. Doc. 46-16998; Filed, Sept. 20, 1946; 9:29 a. m.]

[Vesting Order 500A-198]

COPYRIGHTS OF CERTAIN GERMAN NATIONALS

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation:

1. Finding that each and all of the identified persons to whom reference is made in Column 5 of Exhibit A attached hereto and made a part hereof (the names of which persons are listed (a) in Column 3 of said Exhibit A as the authors of the works, the titles of which are listed in Column 2, and the copyright numbers, if any, of which are listed in Column 1, respectively, of said Exhibit A, and/or (b) in Column 4 of said Exhibit A as the owners of the copyrights, the numbers, if any, of which are listed in Column 1, and the titles of the works covered by which are listed in Column 2, respectively, of said Exhibit A, and/or (c) in Column 5 of said Exhibit A as others owning or claiming interests in such copyrights) are nationals of one or more foreign countries;

2. Determining, therefore, that the property described as follows: All right, title, interest and claim of whatsoever kind or nature under the statutory and common law of the United States and of the several States thereof, of each and all of the identified persons to whom reference is made in Column 5 of said Exhibit A, and also of each and all other unidentified individuals who, as of the date of this order, are residents of, and of each and all other unidentified corporations, partnerships, associations or business organizations, of any kind or nature which, as of the date of this order, are organized under the laws of, or have their principal places of business in, Germany, Japan, Bulgaria, Hungary, and Rumania, whether or not such unidentified persons are named elsewhere in this order or in said Exhibit A, in, to and under the following: *Provided*, That in the cases of persons who are residents of, or organized under the laws of, or have their principal places of business in, Bulgaria, Hungary, and Rumania, such right, title, interest and claim shall have been held by said persons on or before December 7, 1945:

a. Each and all of the copyrights, if any, described in said Exhibit A;

b. Every copyright, claim of copyright and right to copyright in each and all of the works described in said Exhibit A and in every issue, edition, publication, republication, translation, arrangement, dramatization and revision thereof in whole or in part, of whatsoever kind or nature, and of each and all other works designated by the titles therein set forth, whether or not filed with the Register of Copyrights or otherwise asserted, and whether or not specifically designated by copyright number;

c. Every license, agreement, privilege, power and right of whatsoever nature arising under or with respect to any or all of the foregoing;

d. All monies and amounts, and all right to receive monies and amounts, by way of royalty, share of profits or other emolument, accrued or to accrue, whether arising pursuant to law, contract or otherwise, with respect to any or all of the foregoing;

e. All rights of renewal, reversion or revesting, if any, in any or all of the foregoing;

f. All causes of action accrued or to accrue at law or in equity with respect to any or all of the foregoing, including but not limited to the right to sue for and recover all damages and profits and to ask and receive any and all remedies provided by common law or statute for the infringement of any copyright or the violation of any right or the breach of any obligation described in or affecting any or all of the foregoing;

is property payable or held with respect to copyrights, or rights related thereto, in which interests are held by, and such property constitutes interests held therein by, nationals of one or more foreign countries;

3. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive order or act or otherwise; and

4. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property hereinbefore described in subparagraph 2, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in a special account pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

The term "national" as used herein shall have the meanings prescribed in section 10 of said Executive order.

Executed at Washington, D. C., on August 14, 1946.

[SEAL] JAMES E. MARKHAM,
Alien Property Custodian.

EXHIBIT A

Column 1 Copyright numbers	Column 2 Titles of works	Column 3 Names and last known nationalities of authors	Column 4 Names and last known addresses of owners of copyrights	Column 5 Identified persons whose interests are being vested
Unknown	Mengenlehre. 3. Aufl. 1935. (Göschens Lehrbücherei. I Gruppe: Reine Mathematiek, Bd. 7.)	Felix Hausdorf (nationality not established).	Walter de Gruyter, Berlin, Germany (nationality, German).	Owner.
Unknown	Uber Isatin, Isatyl, Dioxindol, Ind Indophenin. 1931. (Sammlung chemischer u. chemisch-technischer Vorträge. N. F. Heft. 5.)	Gustav Heller (nationality not established).	F. Enke, Stuttgart, Germany (nationality, German).	Owner.
Unknown	Physik und Technik des Hochstromkohlebogens. 1944.	Wolfgang Finkelnburg (nationality not established).	Akademische Verlagsgesellschaft, Leipzig, Germany (nationality, German).	Owner.

[F. R. Doc. 46-16999; Filed, Sept. 20, 1946; 9:29 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70-1160, 54-117, 59-72]

COLUMBIA GAS & ELECTRIC CORP. ET AL.

ORDER RELEASING JURISDICTION OVER LEGAL FEES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 17th day of September 1946.

In the matter of Columbia Gas & Electric Corporation, The Dayton Power and Light Company; File No. 70-1160; Columbia Gas & Electric Corporation, File No. 54-117; Columbia Gas & Electric Corporation and Subsidiary Companies, Respondents. File No. 59-72.

A joint application-declaration in the above captioned matter, concerning primarily the acquisition by Dayton Power and Light Company ("Dayton") of certain securities owned by Columbia Gas & Electric Corporation ("Columbia"), a capital contribution by Columbia to Dayton and the issue and sale by Dayton of $28,850,000 principal amount of First Mortgage Bonds, having been granted and permitted to become effective by order of this Commission dated October 15, 1945; said order having, among other things, reserved jurisdiction over the payment of all legal fees incurred or to be incurred in connection with the consummation of the various transactions; and

The applicants-declarants having now furnished the Commission with information indicating the exact amount of such proposed fees, and the nature of the services rendered therefor, setting forth these fees as follows: Cravath, Swaine & Moore, $20,000; Demann & Pfarrer, $7,500; and Davis, Polk, Wardwell, Sunderland and Kiendl (counsel for underwriters) $12,500; and it appearing to the Commission that these fees, under the circumstances of this proceeding, are not unreasonable;

It is hereby ordered, That jurisdiction over the payment of the above described fees be, and hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 46-16951; Filed, Sept. 20, 1946; 8:51 a. m.]

[File Nos. 70-1137, 54-117, 59-72]

COLUMBIA GAS & ELECTRIC CORP. ET AL.

ORDER RELEASING JURISDICTION OVER LEGAL FEES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 17th day of September 1946.

In the matters of Columbia Gas & Electric Corporation, the Cincinnati Gas & Electric Company, Miami Power Corporation, The Union Light, Heat and Power Company, File No. 70-1137; Columbia Gas & Electric Corporation, File No. 54-117; Columbia Gas & Electric Corporation and its subsidiaries, Respondents. File No. 59-72.

A joint application-declaration in the above-captioned matter, concerning primarily the acquisition by The Cincinnati Gas & Electric Company ("Cincinnati") of certain securities owned by Columbia Gas & Electric Corporation ("Columbia"), a capital contribution by Columbia to Cincinnati, the issue and offer of exchange by Cincinnati of 270,000 shares of preferred stock and the issue and sale of $45,500,000 principal amount of First Mortgage Bonds, having been granted and permitted to become effective by order of this Commission dated October 5, 1945; said order having, among other things, reserved jurisdiction over the payment of all legal fees incurred or to be incurred in connection with the consummation of the various transactions; and

The applicants-declarants having now furnished the Commission with information indicating the exact amount of such proposed fees, and the nature of the services rendered therefor, setting forth these fees as follows: Cravath, Swaine & Moore, $40,000, and Davis, Polk, Wardwell, Sunderland and Kiendl (counsel for underwriters) $22,500; and it appearing to the Commission that these fees, under the circumstances of this proceeding, are not unreasonable;

It is hereby ordered, That jurisdiction over the payment of the above described fees be, and hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 46-16952; Filed, Sept. 20, 1946; 8:51 a. m.]

[File No. 70-1289]

GENERAL PUBLIC UTILITIES CORP. AND ASSOCIATED UTILITIES CORP.

ORDER GRANTING APPLICATIONS AND PERMITTING DECLARATIONS TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of September 1946.

General Public Utilities Corporation ("GPU"), a registered holding company, and its wholly-owned subsidiary, Associated Utilities Corporation ("Aucorp"), also a registered holding company, having filed joint applications-declarations, as amended, pursuant to sections 9 (a), 10, 12 (c), 12 (d), and 12 (f) of the Public Utility Holding Company Act of 1935 ("Act") and Rules U-43 and U-44 promulgated thereunder regarding the following proposed transactions:

Aucorp will file a Certificate of Dissolution with the Secretary of State of the State of Delaware, and, in connection therewith, GPU will surrender to Aucorp for cancellation all of the outstanding shares of stock of Aucorp. Aucorp will thereafter, as promptly as may be practicable, distribute to GPU all its assets, or the proceeds thereof, subject to all its liabilities. Such distribution will be made in cash or in kind, except that the 2,450 shares of the common stock of Keuka Lake Power Corporation now held by Aucorp will not be distributed without further application to this Commission for an appropriate order authorizing the distribution of such stock by Aucorp; and

Applicants-declarants having requested that the Commission issue an order determining and reciting that the carrying out of the proposed transactions is necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and otherwise conforming to the provisions of sections 373 (a) and 1808 (f) of the Internal Revenue Code, as amended; and

A public hearing having been held after appropriate notice in which the security holders or applicants-declarants and other interested persons were afforded opportunity to be heard; and

The Commission having considered the record and having entered its findings and opinion herein, and deeming it appropriate in the public interest and in the interest of investors and consumers to grant the applications, as amended, and permit the declarations, as amended, to become effective, subject to certain conditions, and to grant the request of the applicants-declarants as to the suggested recitals:

It is hereby ordered, That, pursuant to the applicable provisions of said act, including sections 9 (a), 10, and 12 thereof and the rules and regulations promulgated thereunder, the aforesaid applications-declarations, as amended, be, and hereby are, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24; and

It is further ordered, That the following transactions are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935:

1. The transfer, delivery and distribution by Aucorp to GPU of the assets hereafter enumerated, subject to the liabilities of Aucorp:

Name of issuer and title of issue	*Shares or principal amount*
Associated Real Properties, Inc.:	
Capital stock (common), no par value	[1] 130
6% convertible obligations, due March 1, 1963	$65,383.52
Gas and Electric Associates:	
Common shares (par value $1 a share)	[1] 10,000
First preferred shares (par value, $1 a share)	[1] 10,000
Second preferred shares (par value, $1 a share)	[1] 10,000
8% demand notes	$16,602,700
8% income note due Sept. 1, 1960	$552,544.22
Dover Casualty Insurance Co., common capital stock	[1] 900
Atlantic Utility Service Corp., common capital stock (par value, $1 a share)	[1] 2,360
Keuka Lake Power Corp., 6% bonds due 1960	$245,000
New England Gas & Electric Association, $5.50 dividend series preferred shares	[1] 6,000
Schenectady Railway Co., 5% noncumulative sinking fund income notes due 1958	$73,200
Utilities Investing Trust:	
8% income note due Mar. 1, 1967	$18,687,300
Open account	$114,908.85

[1] Shares.

2. The surrender and delivery by GPU to Aucorp for cancellation of all the outstanding shares of stock of Aucorp.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 46-16953; Filed, Sept. 20, 1946; 8:51 a. m.]

RAY MURPHY

ORDER REVOKING REGISTRATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of September A. D. 1946.

In the matter of Ray Murphy, 304 Atlas Life Building, Tulsa, Oklahoma.

Ray Murphy, being duly registered as a broker-dealer under section 15 of the Securities Exchange Act of 1934; proceedings having been instituted to determine whether said Ray Murphy willfully violated section 17 (a) of the act and Rule X-17A-5 promulgated thereunder and whether it is in the public interest to revoke said registration; a hearing having been held after appropriate notice, a trial examiner's report filed and no exceptions, briefs or requests for oral argument filed; and the Commission having this day issued its findings and opinion;

It is ordered, Pursuant to section 15 (b) of the Securities Exchange Act of 1934, that the registration of the said Ray Murphy as an over-the-counter broker-dealer be, and the same hereby is, revoked.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 46-16954; Filed, Sept. 20, 1946; 8:51 a. m.]

M. S. WIEN & CO.

ORDER REVOKING REGISTRATION WITHOUT PREJUDICE TO REAPPLICATION UNDER CERTAIN CONDITIONS

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of September A. D. 1946.

In the matter of M. S. Wien & Co., 26 Broad Street, New York, N. Y.

Proceedings having been instituted to determine whether or not the registration of M. S. Wien & Co. as broker and dealer should be revoked, pursuant to section 15 (b) of the Securities Exchange Act of 1934, and whether or not M. S. Wien & Co. should be suspended or expelled from membership in the National Association of Securities Dealers, Inc. pursuant to section 15A of the said act;

A hearing having been held after appropriate notice and the Commission having this day filed its findings and opinion, on the basis of said findings and opinion;

It is ordered, That, effective September 25, 1946, the registration of M. S. Wien & Co. be and it hereby is revoked, without prejudice to the right of M. S. Wien & Co. to reapply for registration after 30 days from said effective date if at the time of such reapplication Joseph J. Lann shall have withdrawn from M. S. Wien & Co. and shall have become disassociated from its business.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 46-16955; Filed, Sept. 20, 1946; 8:51 a. m.]

[File No. 30-88]

PEOPLES LIGHT AND POWER CO.

MEMORANDUM OPINION AND ORDER

Peoples Light and Power Company ("Peoples"), now by change of name Texas Public Service Company, a registered holding company and a Delaware corporation, has filed an application pursuant to section 5 (d) of the Public Utility Holding Company Act of 1935 for an order declaring that it has ceased to be a holding company and that its registration has ceased to be in effect.

On August 22, 1945, the Commission issued an order under section 11 (b) (1) of the Act[1] directing Peoples to dispose of its interest in the electric, water and ice properties of Texas Public Service Company ("Texas Public"), a Texas corporation and Peoples' only public utility subsidiary, which properties were located at LaGrange, Texas, and in the farm business of Texas Public Service Farm Company ("Texas Farm"), its only non-utility subsidiary.

On September 14, 1945, the Commission approved a plan of reorganization of Peoples[2] which provided for the acquisition and assumption by Peoples of the assets and liabilities of Texas Public, respectively, and the dissolution thereof. The plan also provided for changing Peoples' preferred and common stocks into a single class of capital stock and the distribution thereof to the holders of Peoples' then outstanding stocks. In addition, the plan provided for the distribution of cash to Peoples' preferred stockholders and for the elimination of the arrears on the preferred stock of Peoples and outlined the procedure for the election of a new board of directors.

In compliance with the order issued by the Commission on August 22, 1945 pursuant to section 11 (b) (1), Peoples has disposed of its interest in the electric, water and ice properties at LaGrange, Texas. Also, Peoples has filed a certificate of notification pursuant to Rule U-24, from which it appears that the transactions proposed in the plan of reorganization have been consummated, except that the distribution of the new capital stock and cash is still in progress.

It appears to the Commission that Peoples (now by change of name Texas Public Service Company) has ceased to be a holding company as defined in the Act and that it is solely a public utility company engaged in the purchase and distribution of natural gas principally at Austin, Port Arthur and Galveston, Texas. In addition, Peoples is engaged in leasing oil lands and in the operation of a rice farm in Jefferson County, Texas, through Texas Farm, its only subsidiary, which farm business interest Peoples has been ordered to dispose of by the Commission's order of August 22, 1945 referred to above. Accordingly, the Commission finds that the registration of Peoples as a holding company should cease to be in effect, subject, however, to the express condition that certain requirements, conditions and reservations indicated in the Commission's orders of August 22, 1945 and September 14, 1945 shall remain in full force and effect, which terms and conditions we find to be, and will by our order prescribe as, necessary for the protection of investors.

It is ordered, That Peoples has ceased to be a holding company and that the registration of Peoples as a holding company shall from the date of the entry of this order cease to be effective;

Provided, however, And said registration shall cease to be effective only upon the express condition that the Commission's orders with respect to the following matters shall continue in full force and effect until complied with, or until, and unless this Commission shall, by subsequent order, or orders, amend, modify, or revoke any such orders:

1. The requirements of the Commission's order of August 22, 1945 that Peoples shall, in any appropriate manner, not in contravention of the applicable provisions of the act or of the rules and regulations promulgated thereunder, or of the Commission's order of August 22, 1945, dispose of its interest in the farm business of Texas Farm.

2. The reservation of jurisdiction of this Commission under Rule U-27 contained in the Commission's order of September 14, 1945, with respect to the original cost studies relating to the public utility properties which were then to be acquired by Peoples and the recording of the accounting entries to reflect the results thereof.

3. The reservation of jurisdiction contained in the Commission's order of September 14, 1945 to approve, disapprove, modify, allocate or award by further order or orders all fees or other compensation, and all reimbursement of expenses, now or hereafter claimed by any person in connection with the plan approved by the Commission on September 14, 1945, the transactions incident thereto, and the consummation thereof.

4. The reservation of jurisdiction contained in the Commission's order of September 14, 1945 to entertain such further proceedings, to make such supplemental findings and to take such further action as the Commission may deem appropriate in connection with the plan, the transactions incident thereto and the consummation thereof.

5. The reservation of jurisdiction contained in the Commission's orders of August 22, 1945 and September 14, 1945 to take such action as the Commission shall deem necessary to effectuate the

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[1] Peoples Light and Power Company, — S. E. C. —, Holding Company Act Release No. 6000.

[2] Peoples Light and Power Company, — S. E. C. —, Holding Company Act Release No. 6054.

terms of the Commission's order of August 22, 1945, pursuant to section 11 (b) (1) of the Act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

SEPTEMBER 16, 1946.

[F. R. Doc. 46-16956; Filed, Sept. 20, 1946; 8:51 a. m.]

[File Nos. 54-57, 59-57]

AMERICAN UTILITIES SERVICE CORP., ET AL.

ORDER RELEASING JURISDICTION OVER CERTAIN FEES AND EXPENSES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of September A. D. 1946.

In the matter of American Utilities Service Corporation, File No. 54-57; American Utilities Service Corporation and its Subsidiary Companies, Respondents, File No. 59-57.

The Commission having by its order dated March 13, 1945 issued in the above entitled proceedings reserved jurisdiction to approve, disapprove, modify, allocate or award by further order or orders all fees and expenses incurred or to be incurred by American Utilities Service Corporation ("American"), then a registered holding company, in connection with an amended plan of recapitalization filed by such company; and the District Court of the United States for the District of Delaware having by its order of April 21, 1945 approved said plan; and

The Commission having by its order of April 8, 1946 granted the application of American filed pursuant to section 5 (d) of the Public Utility Holding Company Act of 1935 for an order finding that American had ceased to be a holding company under said act, subject, however, to the following condition: That the entry of this order shall not constitute a waiver of jurisdiction by the Commission with respect to the approval of the payment of fees and expenses incurred or claimed to be incurred in connection with the amended plan of recapitalization of American Utilities Service Corporation; and that American Utilities Service Corporation shall pay such fees and expenses incurred or claimed to have been incurred in connection with its amended plan of recapitalization as may be approved, allocated or awarded by order or orders of the Commission, and shall pay no fees and expenses not so approved, allocated or awarded; and

American having filed an application, and amendments thereto, for waiver of jurisdiction with respect to the payment of amounts claimed by various companies, firms and persons from American as fees and expenses for services rendered in connection with said amended plan of recapitalization of the company as follows:

Printing	$12,868.17
Postage	3,363.01
Publishing	121.50
Accounting	426.50
Expenses in connection with hearings	1,097.95
Other incidental charges	$446.63
Continental Illinois National Bank & Trust Co. of Chicago, trustee	1,589.51
A. Louis Flynn, counsel for company:	
Fees	20,000.00
Expenses	77.99
Richards, Layton & Finger, Delaware counsel for company:	
Fees	750.00
Expenses	4.28
Guggenheimer & Untermeyer, counsel for certain preferred stockholders:	
Fees	15,000.00
Expenses	1,593.21
Hastings, Stockley & Layton, Delaware counsel for certain preferred stockholders; Fees	500.00
William H. Foulk, counsel for certain holders of voting trust certificates:	
Fees	2,500.00
Expenses	55.02
Charles K. Morris, a preferred stockholder:	
Fees	1,000.00
Expenses	1,024.58
Total	62,418.35

The Commission having examined the record and the data submitted in support of the fees and expenses and it appearing to the Commission that the aforesaid fees and expenses, except with respect to the fees and expenses claimed by Charles K. Morris, a preferred stockholder, under the circumstances of this case, are not unreasonable in amount and that jurisdiction over such matters should be released;

It is ordered, That the jurisdiction heretofore reserved over the payment of the fees and expenses to be paid in connection with the amended plan of recapitalization of American Utilities Service Corporation be, and the same hereby is, released except with respect to the fees and expenses of Charles K. Morris, and that the jurisdiction with respect to the fees and expenses of Charles K. Morris be, and the same hereby is, continued.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 46-16957; Filed, Sept. 20, 1946; 8:52 a. m.]

[File No. 70-1147]

ASSOCIATED GAS AND ELECTRIC CO. ET AL.

ORDER RELEASING JURISDICTION OVER LEGAL FEES

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of September 1946.

In the matter of Stanley Clarke, Trustee of Associated Gas and Electric Company, Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, Associated Electric Company, NY PA NJ Utilities Company, File No. 70-1147.

The Commission having by order dated December 28, 1945, granted applications and permitted to become effective declarations filed pursuant to sections 6 (a), 7, 9 (a), 10 and 12 of the Public Utility Holding Company Act of 1935 by Stanley Clarke, Trustee of Associated Gas and Electric Company ("Ageco"), and Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation ("Agecorp"), and their subsidiaries, Associated Electric Company ("Aelec"), and NY PA NJ Utilities Company ("NY PA NJ"), with respect to transactions involved in carrying into effect the settlement of various claims of Aelec, for itself and its subsidiaries against its parent companies, Ageco and Agecorp, reserving jurisdiction over, among other things, legal and accounting fees and expenses of Aelec in connection with the proposed transactions; and having by order dated April 3, 1946 released jurisdiction over such accounting fees, continuing its reservation of jurisdiction, however, over legal fees and expenses; and

Aelec having now filed statements with respect to such legal services rendered by Hughes, Hubbard & Ewing in connection with the transactions, and it appearing to the Commission that the fee of such firm in the amount of $38,500 and expenses in the amount of $515.90 are not unreasonable, and that jurisdiction over such fee and expenses should be released:

It is ordered, That jurisdiction heretofore reserved over the payment of the legal fee and expenses of Hughes, Hubbard & Ewing in connection with the above transactions be, and hereby is, released.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 46-16958; Filed, Sept. 20, 1946; 8:52 a. m.]

[File No. 70-1344]

COLUMBIA GAS & ELECTRIC CORP.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of September 1946.

Columbia Gas & Electric Corporation, a registered holding company, having filed a declaration under the Public Utility Holding Company Act of 1935 concerning the following:

(a) A capital contribution will be made by Columbia to its wholly-owned subsidiary, Binghamton Gas Works, through the forgiveness of $474,263.07 out of a total of $750,000 of 5% Demand Loans (open account) owing to it by Binghamton. Columbia will increase its investment in the common stock of Binghamton by the amount of the capital contribution and will concurrently appropriate a like amount from its Special Capital Surplus in order to create a reserve against said investment. This reserve will be available for adjustment of its investment in the common stock of Binghamton at such time as Columbia revalues its investments in its subsidiary companies as ordered by this Commission under date of January 25, 1939 (Co-

lumbia Gas & Electric Corporation, 4 S. E. C. 406 (1939), Holding Company Act Release No. 1417).

(b) Columbia will cause Binghamton to decrease its 5% Demand Loans Payable (open account) and credit Unearned Surplus with the capital contribution in the amount of $474,263.07; and further to use all of the Unearned Surplus thus created for adjustments to its accounts required to state its Utility Plant Account at original cost.

Said declaration having been filed on July 26, 1946 and notice of said filing having been duly given in the form and manner prescribed by Rule U–23 promulgated pursuant to said act, and the Commission not having received a request for hearing with respect to said declaration within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding said transaction to be in compliance with the standards of said act and deeming it appropriate in the public interest and for the protection of investors and consumers to permit said declaration to become effective;

It is hereby ordered, Pursuant to Rule U–23 and the applicable provisions of said act, and subject to the terms and conditions prescribed in Rule U–24 that the aforesaid declaration be, and hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 46–16959; Filed, Sept. 20, 1946; 8:52 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 591, Amdt. 1 to Order 482]

GENERAL MOTORS CORP.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, Order No. 482 under section 9 of Maximum Price Regulation No. 591, is amended as follows:

1. Paragraph (a) (1) of Order No. 482 is amended to read as follows:

(a) (1) The maximum net prices delivered for sales by any persons of the following home freezer manufactured by the Frigidaire Division of the General Motors Corporation of Dayton, Ohio and described in the application dated September 3, 1946, which is on file with the Mechanical Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

Model	On sales to—		
	Distributors	Dealers	Consumer
HJ4	$108.46	$129.84	$189.75

The maximum prices above include crating, freight, delivery, one-year warranty on the entire refrigeration system and five-year warranty on the sealed-in mechanism.

2. Paragraph 2 (f) is amended to read as follows:

(f) The Frigidaire Division, General Motors Corporation of Dayton 1, Ohio, shall label on the home freezer covered by this order substantially the following:

OPA Retail Ceiling Price, Installed, $189.75.

Above price includes crate, freight, delivery, installation with connection to electric facilities to be provided by the consumer, 1-year warranty on the entire refrigeration system and 5-year warranty on the sealed-in mechanism.

This amendment shall become effective September 21, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING AMENDMENT 1 TO ORDER NO. 482 UNDER SECTION 9 OF MAXIMUM PRICE REGULATION NO. 591

By Order No. 482, issued to the above-named company, Model HJ4 freezer was priced on an f. o. b. basis.

The company has requested that it be authorized to sell Model HJ4 on a delivered basis, including crating, installation, and a warranty, at prices below the f. o. b. maximum prices heretofore authorized in order to remain competitive. Such authorization is fully in accord with the Emergency Price Control Act of 1942, as amended, and Executive orders issued by the President.

[F. R. Doc. 46–17023; Filed, Sept. 20, 1946; 9:53 a. m.]

[MPR 120, Amdt. 43 to Order 1548]

ELLIOT MINING CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.212 (c) of Maximum Price Regulation No. 120, *It is ordered:*

Order No. 1548 under Maximum Price Regulation No. 120, is hereby amended in the following respects:

Paragraph (a) is amended by adding thereto the following name of the producer, address, mine name and index number, and preparation plant name, as follows:

Producer and address	Mine name	Mine index No.	Location and name of preparation plant through which the coals are prepared
De Romo Coal Mining Co., Madera, Pa.	De Romo No. 2	5446	Middle Pennsylvania Coal Corp. Alexander Preparation Plant at Madera, Pa., on P. R. R.

This Amendment No. 43 to Order No. 1548 under Maximum Price Regulation No. 120 shall become effective September 21, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING AMENDMENT 43 TO ORDER NO. 1548 UNDER MAXIMUM PRICE REGULATION 120

De Romo Coal Mining Company, Madera, Pennsylvania, filed an application pursuant to § 1340.212(c) of Maximum Price Regulation No. 120, requesting that its maximum price for strip-mined coal, produced at its De Romo No. 2 Mine, Mine Index No. 5446 and prepared at its preparation plant at Madera, Pennsylvania, in District No. 1, be increased 50¢ per net ton.

It appears that applicant's strip-mined coal receives thorough cleaning and hand-picking at the said preparation plant, and that it is such that it can be prepared to a standard of general acceptability in the coal-consuming market.

The applicant qualifies, therefore, for the requested relief under the provisions of said § 1340.212(c). All mines of District No. 1, qualifying for an increase of 50¢ per net ton for prepared strip-mined coal under the provisions of § 1340.212(c) of Maximum Price Regulation No. 120, have been grouped together by Order No. 1548, as amended, under Maximum Price Regulation No. 120. Accordingly, this order is being further amended to include applicant's strip-mined coal.

[F. R. Doc. 46–17012; Filed, Sept. 20, 1946; 8:46 a. m.]

[MPR 120, Amdt. 6 to Rev. Order 1438]

ALLEGHENY RIVER MINING CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICE AND PRICE CLASSIFICATIONS

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.212 (c) (2) of Maximum Price Regulation No. 120, *It is ordered:*

Revised Order No. 1438 under Maximum Price Regulation No. 120 is hereby amended in the following respects:

Paragraph (a) is amended by adding thereto the following in the manner indicated:

Producer and address	Mine index No.	Location and name of preparation plant through which the coals are prepared
J. H. Wallin, doing business as Banner Coal Co., Philipsburg, Pa.	20	Banner Coal Co.'s preparation plant near Osceola Mills, Pa., on the P. R. R.

This Amendment No. 6 to Revised Order No. 1438 under Maximum Price Regulation No. 120 shall become effective September 21, 1946.

Issued this 20th day of September, 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING AMENDMENT 6 TO REVISED ORDER 1438 UNDER MAXIMUM PRICE REGULATION 120

J. H. Wallin, doing business as Banner Coal Company, Philipsburg, Pennsylvania, producing strip-mined coal at his Atlantic Mine, Mine Index No. 20, filed

an application pursuant to § 1340.212 (c) (2) of Maximum Price Regulation No. 120, requesting permission to charge deep-mine prices for strip-mined coal when blended with 25% or more of deep-mined coal, and prepared at his preparation plant near Osceola Mills, Pennsylvania, in District No. 1.

It appears that applicant's strip-mined coal receives thorough cleaning and hand-picking at the said preparation plant, and that it is such that it can be prepared to a standard of general acceptability in the coal-consuming market.

It further appears that applicant's strip-mined coal is blended in preparation with not less than 25% deep-mined coal at the said preparation plant.

The applicant qualifies therefore for the requested relief under the provisions of said § 1340.212 (c) (2), since the above mentioned strip-mined coals produced in District No. 1 are prepared in accordance with said § 1340.212 (c) (2) and blended in preparation with not less than 25% deep-mined coal at the above mentioned preparation plant, which is operated as an adjunct of said Mine Index No. 20, in District No. 1.

Accordingly, this revised order is being further amended to include applicant's blended mixture of prepared strip-mined and deep-mined coal.

[F. R. Doc. 46-17011; Filed, Sept. 20, 1946; 10:00 a. m.]

[MPR 188, Order 5192]

PILOT LAMP MFG. CO., INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Pilot Lamp Manufacturing Company, Incorporated, 390 Fourth Avenue, New York 16, New York.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sale by manufacturer to—		For sale by any person to consumers
		Jobbers	Retailers	
Plated-metal torchier with glass reflector	1000	*Each* $9.77	*Each* $11.50	*Each* $20.70
Plated-metal 6-way floor lamp with glass diffuser	1600	9.77	11.50	20.70
Plated-metal swing bridge lamp with glass diffuser	1200	9.77	11.50	20.70
Plated-metal table lamp with glass diffuser (copper, brass, or bronze finish)	1800	5.52	6.50	11.70
Plated-metal table lamp with glass diffuser (silver or gold finish)	1801	5.46	6.42	11.56

These maximum prices are for the articles described in the manufacturer's application dated August 19, 1946.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. New York City, New York, and terms are net. The maximum price to consumers is net delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number _____
OPA Retail Ceiling Price $_____
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 21st day of September 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 5192 UNDER SECTION 1499.158 OF MAXIMUM PRICE REGULATION NO. 188

By application dated August 19, 1946, Pilot Lamp Manufacturing Company, Incorporated, 390 Fourth Avenue, New York 16, New York, herein called the applicant, requested the Office of Price Administration to establish maximum prices for sales of lamps which it manufactures.

Since the applicant has not previously manufactured an article the maximum price of which may be used as a basis for pricing the articles described in the application under one of the first three pricing methods of Maximum Price Regulation No. 188, it has been necessary to consider the application under the Fourth Pricing Method, § 1499.158, which requires that prices be set in line with the level of maximum prices established by Maximum Price Regulation No. 188.

The specifications, construction and design of the applicant's product have been compared with those of comparable competitive articles for which maximum prices have been properly established under the Regulation. The prices established by this order are in line with the maximum prices of those comparable articles for sales to the same classes of purchasers and are, therefore, in line with the level of maximum prices established by Maximum Price Regulation No. 188.

Highly inflationary tendencies have developed as a result of a great shortage in the supply of these articles. The Administrator has, therefore, deemed it advisable to establish maximum resale prices. These prices are in line with the general levels of maximum resale prices for similar merchandise, allowing the sellers markups normally enjoyed in the industry for their types of distributive operations.

[F. R. Doc. 46-17022; Filed, Sept. 20, 1946; 9:54 a. m.]

[MPR 120, Amdt. 44 to Order 1548]

ELLIOT MINING CO. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.212 (c) of Maximum Price Regulation No. 120, *It is ordered:*

Order No. 1548 under Maximum Price Regulation No. 120 is hereby amended in the following respects:

Paragraph (a) is amended by adding thereto the following name of the producer, address, mine and index number, and preparation plant name, as follows:

Producer and address	Mine name	Mine index No.	Location and name of preparation plant through which the coals are prepared
Somerset Construction Co., Salisburg, Pa.	Dennis, No. 1	5871	Somerset Construction Co.'s Niverton Preparation Plant at Niverton, Pa., on the B. & O.

This Amendment No. 44 to Order No. 1548 under Maximum Price Regulation No. 120 shall become effective September 21, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING AMENDMENT 44 TO ORDER 1548 UNDER MAXIMUM PRICE REGULATION NO. 120

Somerset Construction Co., Salisburg, Pennsylvania, filed an application pursuant to § 1340.212 (c) of Maximum Price Regulation No. 120, requesting that its maximum price for strip-mined coal,

produced at its Dennis No. 1 mine, Mine Index No. 5871 and prepared at its preparation plant at Niverton, Pennsylvania, in District No. 1, be increased 50¢ per net ton.

It appears that applicant's strip-mined coal receives thorough cleaning and hand-picking at the said preparation plant, and that it is such that it can be prepared to a standard of general acceptability in the coal-consuming market.

The applicant qualifies, therefore, for the requested relief under the provisions of said § 1340.212 (c). All mines of District No. 1, qualifying for an increase of 50¢ per net ton for prepared strip-mined coal under the provisions of § 1340.212 (c) of Maximum Price Regulation No. 120, have been grouped together by Order No. 1548, as amended, under Maximum Price Regulation No. 120. Accordingly, this order is being further amended to include applicant's strip-mined coal.

[F. R. Doc. 46-17013; Filed, Sept. 20, 1946; 8:46 a. m.]

[MPR 591, Order 820]

HYDRO-AIRE INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net price for sales by any person to consumers of the following electric wall heaters, manufactured by Hydro-Aire Incorporated of Los Angeles, California and as described in its application dated August 8, 1946, shall be:

Model 700 Electric wall heater, 1,650-watt, 9" x 48", $28.30.

(b) The maximum net price f. o. b. point of shipment for sales to jobbers shall be the maximum net price above, less a discount of 46 percent.

(c) The maximum net price f. o. b. point of shipment for sales to dealers shall be the maximum net price above less the following quantity discounts:

1 to 6 in one shipment, 33 percent discount.
7 or more in one shipment, 36 percent discount.

(d) The maximum net prices established by this order shall be subject to discounts and allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of commodities in the same general category during March 1942.

(e) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) Each seller covered by this order, except on sales to a consumer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers except dealers upon resale.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 21, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 820 UNDER SECTION 9 OF MAXIMUM PRICE REGULATION NO. 591

The accompanying order No. 820 under section 9 of Maximum Price Regulation No. 591 establishes maximum prices for sales at all levels of distribution for electric wall heaters manufactured by Hydro-Aire Incorporated of Los Angeles, California.

This particular commodity was only recently introduced into the market by the manufacturer. Maximum price for the item could not be established under section 7 or 8 of Maximum Price Regulation No. 591, because this company had never manufactured comparable commodities. Consequently, a maximum price must be approved pursuant to the provisions of section 9 of Maximum Price Regulation No. 591.

In its application the company submitted its proposed price for the commodity covered by this order. An analysis of the information submitted, indicated that the price requested is in line with the prices of competitive manufacturers for comparable commodities and, therefore, is in line with the level of prices established under Maximum Price Regulation No. 591.

In order to avoid any confusion on the part of resellers as to their maximum prices and for the purposes of protecting consumers, the accompanying order establishes dollars-and-cents prices for all levels of distribution. Maximum prices established for resellers reflect the usual margins of such resellers on sales of comparable products.

The commodity manufactured by this company will be distributed by many resellers who may or may not have access to copies of the accompanying order. Therefore, in order to avoid confusion on the part of resellers who do not have access to this order, the order provides that the manufacturer shall notify each of its purchasers of its maximum price as well as purchasers' maximum resale price.

All provisions of the accompanying order and their effect upon business practices, or cost practices or methods or means or aids to distribution in the industry or industries affected, have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, or methods established in the industry or industries affected, have been included in the order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the order or of the act. To the extent that the provisions of this order compel or may operate to compel changes in business practices, cost practices, or methods or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of this order or of the Emergency Price Control Act of 1942, as amended.

The Price Administrator has determined, on the basis of the foregoing, that the maximum prices established by the order, are in conformity with the Emergency Price Control Act of 1942, as amended, and Executive orders of the President.

[F. R. Doc. 46-17025; Filed, Sept. 20, 1946; 9:52 a. m.]

[MPR 120, Amdt. 5 to Order 1716]

EDWARD TOMAJKO ET AL.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.213 (d) of Maximum Price Regulation No. 120, *It is ordered:*

Order No. 1716 under Maximum Price Regulation No. 120 is hereby amended in the following respects:

Paragraph (a) is amended by adding thereto the following names of the producers, addresses, mine names and index numbers, and preparation plant names as follows:

Producer and address	Mine name	Mine index No.	Location and name of preparation plant through which the coals are prepared
Plummer & James, Sewickley, Pa.	Plummer & James, No. 4.	4461	Plummer & James No. 4 Mine Preparation Plant at Brownfield, Pa., on P. R. R.
Penncoal, Inc., 1922 Farmers Bank Bldg., Pittsburgh 22, Pa.	Penncoal	4598	Penncoal Mine Preparation Plant at LaBelle, Pa., on M. R. R.
Sunnyside Coal Mining Co., R. D. #2, Darlington, Pa.	Murdock	4631	Sunnyside Mine Preparation Plant at Darlington, Pa., on P. L. & W. R. R.
Hayes Coal Co., Scottdale, Pa.	Hayes, No. 3	4140	Hayes No. 3 Mine Preparation Plant at Wyano, Pa., on P. R. R.
Ash & Smith Coal Co., c/o Knox, Matthews & Lishman, Esqs., 821 15th St. N. W., Washington, D. C. (5).	Smith, No. 4	4224	Winstead Preparation Plant of Ash & Smith Coal Co. at Point Marion, Pa., on B. & O.

This Amendment No. 5 to Order No. 1716 under Maximum Price Regulation No. 120 shall become effective September 21, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING AMENDMENT 5 TO ORDER 1716 UNDER MAXIMUM PRICE REGULATION 120

Plummer & James, Sewickley; Penncoal, Inc., 1922 Farmers Bank Bldg., Pittsburgh 22; Sunnyside Coal Mining Co., R. D. #2, Darlington; Hayes Coal

Company, Scottdale; all in Pennsylvania; and Ash & Smith Coal Company, c/o Knox, Matthews & Lishman, Esqs., 821 15th Street, NW., Washington, D. C., filed applications pursuant to § 1340.213 (d) of Maximum Price Regulation No. 120, requesting that their maximum prices for strip-mined coal, produced at their Plummer & James No. 4; Penncoal; Murdock; Hayes No. 3 and Smith No. 4 Mines, respectively, Mine Index Nos. 4461, 4598, 4631, 4140 and 4224, respectively, and prepared at their respective preparation plants at Brownfield, LaBelle, Darlington, Wyano and Marion, all in Pennsylvania, in District No. 2, be increased 61¢ per net ton for coals delivered by all methods of transportation except truck or wagon shipment and 36¢ per net ton for truck or wagon shipment.

It appears that the applicants' strip-mined coals receive thorough cleaning and hand-picking at their preparation plants and they are such that it can be prepared to a standard of general acceptability in the coal-consuming market.

The applicants qualify, therefore for the requested relief under the provisions of said § 1340.213 (d). All mines of District No. 2, qualifying for an increase of 61¢ per net ton for prepared strip-mined coal delivered by all methods of transportation except truck or wagon shipment and 36¢ per net ton for truck or wagon shipment under the provisions of § 1340.213 (d) of Maximum Price Regulation No. 120, have been grouped together by Order No. 1716, as amended, under Maximum Price Regulation No. 120. Accordingly, this order is being further amended to include applicants' strip-mined coals.

[F. R. Doc. 46-17014; Filed, Sept. 20, 1946; 8:47 a. m.]

[MPR 120, Amdt. 6 to Order 1716]

EDWARD TOMAJKO ET AL.

ADJUSTMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.213 (d) of Maximum Price Regulation No. 120, *It is ordered:*

Order No. 1716 under Maximum Price Regulation No. 120 is hereby amended in the following respects:

1. Paragraph (a) is amended by deleting therefrom the following name of the producer, address, mine name and index number, and preparation plant name as follows:

Producer and address	Mine name	Mine index No.	Location and name of preparation plant through which the coals are prepared
Deer Field Coal Co., The—Shields Bldg., Wilkinsburg, Pa.	Clements	2234	Clements Mine Preparation Plant, Renton, Pa., on P. R. R.

2. Paragraph (a) is further amended by adding thereto the following name of the producer, address, mine name and index number, and preparation plant name as follows:

Producer and address	Mine name	Mine index No.	Location and name of preparation plant through which the coals are prepared
Deer Field Coal Co., The Shields Building, Wilkinsburg, Pa.	Clements, No. 2	4620	Clements No. 2 Preparation Plant McKees Rocks, Pa. and P. C. & Y.

This Amendment No. 6 to Order No. 1716 under Maximum Price Regulation No. 120 shall become effective September 21, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING AMENDMENT 6 TO ORDER 1716 UNDER MAXIMUM PRICE REGULATION 120

The Deer Field Coal Company, Shields Building, Wilkinsburg, Pennsylvania, filed application pursuant to § 1340.213 (d) of Maximum Price Regulation No. 120, requesting that its maximum prices for strip-mined coal, produced at its Clements No. 2 Mine, Mine Index Number 4620, and prepared at its preparation plant at McKees Rocks, Pennsylvania, in District No. 2, be increased 61¢ per net ton for coals delivered by all methods of transportation except truck or wagon shipment and 36¢ per net ton for truck or wagon shipment. It appears that the preparation plant of the applicant which was formerly used for the preparation of the coals of the Clements Mine, and which was located at Renton, Pennsylvania, has been abandoned. It has been moved to McKees Rocks, Pennsylvania, renamed, and is now used for the preparation of the coals of Clements No. 2 Mine,

It further appears that the applicant's strip-mined coals receive thorough cleaning and hand-picking at its preparation plant and they are such that they can be prepared to a standard of general acceptability in the coal-consuming market.

The applicant qualifies, therefore, for the requested relief under the provisions of said § 1340.213 (d). All mines of District No. 2, qualifying for an increase of 61¢ per net ton for prepared strip-mined coal delivered by all methods of transportation except truck or wagon shipment and 36¢ per net ton for truck or wagon shipment under the provisions of § 1340.213 (d) of Maximum Price Regulation No. 120, have been grouped together by Order No. 1716, as amended, under Maximum Price Regulation No. 120. Accordingly, this order is being further amended to include applicant's strip-mined coals.

[F. R. Doc. 46-17015; Filed, Sept. 20, 1946; 8:47 a. m.]

[MPR 591, Order 821]

HEAT EQUIPMENT, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issed simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following domestic hot water heaters manufactured by Heat Equipment Incorporated of Chicago, Illinois, and as described in its application dated August 8, 1946, shall be:

Domestic hot-water heater	On sales to—	
	Consumers	Dealers
Model C-600 series oil- or gas-fired, aluminum jacket	$217.50	$174.00
Model C-600 series stoker-fired, aluminum jacket	231.25	185.00
Model C-800 series oil- or gas-fired, aluminum jacket	251.25	201.00
Model C-800 series stoker-fired, aluminum jacket	265.00	212.00

(b) On sales to dealers the following quantity discounts shall apply:

Quantity	*Discount*
1 to 24	Net.
25 to 49	5 percent.
50 to 99	5 and 5 percent.
100 or more	20 percent.

(c) The maximum prices established by this order are subject to such further cash discounts, transportation allowances and price differentials at least as favorable as those which each seller extended or rendered or would have extended or rendered during March 1942, on sales of commodities in the same general category.

(d) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(e) Each seller covered by this order, except on sales to a consumer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(f) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 21, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 821 UNDER SECTION 9 OF MAXIMUM PRICE REGULATION NO. 591

The accompanying Order No. 821 under section 9 of Maximum Price Regulation No. 591 establishes maximum prices for sales at consumer and dealer levels of distribution for domestic hot water heaters, manufactured by Heat Equipment Incorporated, Chicago, Illinois.

These particular commodities were only recently introduced into the market by the manufacturer. Maximum prices for the items could not be established under sections 7 or 8 of Maximum Price Regulation No. 591, because this company had never manufactured comparable commodities. Consequently, maximum prices must be approved pursuant to the provisions of section 9 of Maximum Price Regulation No. 591.

In its application the company submitted its proposed prices for the commodities covered by this order. An analysis of the information submitted indicated that the prices requested are in line with the prices of competitive manufacturers for comparable commodities and, therefore, are in line with the level of prices established under Maximum Price Regulation No. 591.

In order to avoid any confusion on the part of resellers as to their maximum prices and for the purposes of protecting consumers, the accompanying order establishes dollars-and-cents prices for consumer and dealer levels of distribution. Maximum prices established for resellers reflect the usual margins of such resellers on sales of comparable products.

The commodities manufactured by this company will be distributed by many resellers who may or may not have access to copies of the accompanying order. Therefore, in order to avoid confusion on the part of resellers who do not have access to this order, the order provides that the manufacturer shall notify each of its purchasers of its maximum prices as well as purchasers' maximum resale prices.

All provisions of the accompanying order and their effect upon business practices, or cost practices or methods or means or aids to distribution in the industry or industries affected, have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, or methods established in the industry or industries affected, have been included in the order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the order or of the act. To the extent that the provisions of this order compel or may operate to compel changes in business practices, cost practices, or methods or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of this order or of the Emergency Price Control Act of 1942, as amended.

The Price Administrator has determined, on the basis of the foregoing that the maximum prices established by the order are generally fair and equitable, and are in conformity with the Emergency Price Control Act of 1942, as amended, and Executive orders of the President.

[F. R. Doc. 46-17026; Filed, Sept. 20, 1946; 9:51 a. m.]

[MPR 120, Order 1739]

Eastern Gas & Fuel Associates et al.

Establishment of Maximum Prices and Price Classifications

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

Koppers Coal Division, Eastern Gas & Fuel Associates, Koppers Bldg., Pittsburgh, Pa., Wharton No. 2 Mine, Hernshaw Seam, Mine Index No. 7829, Boone County, W. Va., Subdistrict 4, Rail Shipping Point: Wharton, W. Va., F. O. G. 123, Deep Mine, Maximum Truck Price Group No. 5

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15,16, 17	18	19	20, 21	22
Price classification	K	K	K	K	G	G	F	E	C	E	B	D	D	D	.....
Rail shipment and railroad fuel	426	421	411	411	406	396	381	376	376	431	366	361	361	361	.....
Truck shipment	441	421	396	396	381	356	321	316	.....	.....	.....	.....	.....	.....	.....

Sam Johnson Co., Combs, Ky., Sam Johnson Mine, Hazard No. 4 Seam, Mine Index No. 7841, Perry County, Ky., Subdistrict 3, Rail Shipping Point, Feetham, Ky., F. O. G. No. 100, Deep Mine, Maximum Truck Price Group No. 5

Price classification	K	K	K	K	J	J	H	G	E	G	D	K	K	K	.....
Rail shipment and railroad fuel	426	421	411	411	406	396	376	371	371	406	361	346	341	341	.....
Truck shipment	441	421	396	396	381	356	321	316	.....	.....	.....	.....	.....	.....	.....

The Lorado Coal Mining Co., 33 North High St., Columbus 15, Ohio, Lorado No. 5 Mine, Upper Chilton Seam, Mine Index No. 7458,[1] Logan County, W. Va., Subdistrict 5, Rail Shipping Point: Saunders, W. Va., Deep Mine

Price classification	O	O	O	O	L	L	K	G	E	G	(1)	E	E	E	L
Rail shipment and railroad fuel	406	401	386	386	381	381	371	371	371	406	.....	356	351	351	301
Truck shipment [1]	(1)	(1)	(1)	(1)	(1)	(1)	(1)	(1)	.....	.....	.....	.....	.....	.....	.....

[1] Previously established.

Grover Ratliff, Combs, Ky., Grover Ratliff Mine, Hazard No. 5-A Seam, Mine Index No. 7842, Perry County, Ky., Subdistrict 3, Rail Shipping Point: Feetham, Ky., F. O. G. 100, Deep Mine, Maximum Truck Price Group No. 5

Price classification	O	O	O	O	N	N	M	K	H	K	F	M	M	M	.....
Rail shipment	406	401	386	386	381	376	371	356	356	401	356	326	321	316	.....
Railroad fuel	406	401	386	386	381	376	371	371	371	401	356	326	321	316	.....
Truck shipment	441	421	396	396	381	356	321	316	.....	.....	.....	.....	.....	.....	.....

Rowland & Combs Coal Co., Isom, Ky., Rowland and Combs Mine, Hazard No. 4 Seam, Mine Index No. 7837, Letcher County, Ky., Subdistrict 3, Rail Shipping Point: Cowen Siding, Ky., F. O. G. 100, Deep Mine, Maximum Truck Price Group No. 5

Price classification	M	M	M	M	K	K	J	G	E	G	D	K	K	K	.....
Rail shipment and railroad fuel [1]	411	411	406	406	406	396	376	371	371	406	361	346	341	341	.....
Truck shipment	441	421	396	396	381	356	321	316	.....	.....	.....	.....	.....	.....	.....

[1] Subject to the provisions of Sec. Revised Order No. 1432 under MPR 120.

Traux-Traer Coal Co., 2715 Carew Tower, Cincinnati 2, Ohio, Shamrock Mine, No. 2 Gas Seam, Mine Index No. 7369, Kanawha County, W. Va., Subdistrict 4, Rail Shipping Point: Shamrock, W. Va., F. O. G. 123, Deep Mine, Maximum Truck Price Group No. 4

Price classification	L	L	L	L	H	H	G	G	E	G	B	H	H	H	.....
Rail shipment and railroad fuel	411	411	406	406	406	396	376	371	371	406	366	356	346	341	.....
Truck shipment	451	431	401	411	381	366	321	316	.....	.....	.....	.....	.....	.....	.....

WEBB COAL MINING CO., 1212 FIRST NATIONAL BANK BLDG., CINCINNATI 2, OHIO, WEBB NO. 4 MINE, CEDAR GROVE SEAM, MINE INDEX NO. 7831, BOONE COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINTS: FERNDALE, W. VA., F. O. G. 123 DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21	22
Price classification	Q	Q	Q	Q	L	L	K	H	F	H	C	E	E	E	-----
Rail shipment	391	386	381	381	381	381	371	366	366	401	361	356	351	351	-----
Railroad fuel	391	386	381	381	381	381	371	371	371	401	361	356	351	351	-----
Truck shipment	441	421	396	396	381	356	321	316	-----	-----	-----	-----	-----	-----	-----

WEBB COAL MINING CO., 1212 FIRST NATIONAL BANK BLDG., CINCINNATI 2, OHIO, WEBB NO. 5 MINE, HERNSHAW SEAM, MINE INDEX NO. 7832, BOONE COUNTY, W. VA., SUBDISTRICT 4, RAIL SHIPPING POINT: FERNDALE, W. VA., F. O. G. 123, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 3

Price classification	M	M	M	M	J	J	H	G	E	G	C	F	F	F	-----
Rail shipment and railroad fuel	411	411	406	406	406	396	376	371	371	406	361	356	351	351	-----
Truck shipment	466	446	411	411	381	361	321	316	-----	-----	-----	-----	-----	-----	-----

This order shall become effective September 21, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER 1739 UNDER MAXIMUM PRICE REGULATION 120

The order which this opinion accompanies establishes maximum prices and price classifications and assigns mine index numbers to mines in District No. 8 which had not been classified and numbered by the former Bituminous Coal Division. This is done in accordance with § 1340.210 (a) (6) of the Regulation which provides for this action.

Under this section, a producer is required to file an application for maximum prices and classifications based upon those of the nearest mine in the same or substantially similar seams. Generally the producer requests the prices and classifications he deems proper.

This application was then submitted to the industry advisory committee for District No. 8. The prices and classifications established are those recommended by the committee and those requested by the applicants, if a request was made, and are fair and equitable.

[F. R. Doc. 46-17016; Filed, Sept. 20, 1946; 8:49 a. m.]

[MPR 591, Order 822]

CHARLES P. WEST

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum prices for sales by any person to consumers of the following water softeners manufactured by Charles P. West, of Detroit, Michigan, and described in his application dated August 29, 1946, shall be:

40,000 grain zeolite water softener iron remover and sediment filter_ $323.13

(b) The maximum net LCL prices, f. o. b. point of shipment, for sales by any person shall be the maximum prices specified in (a) above less the following discounts:

1. On sales to a dealer, a discount of 27 percent.

2. On sales to a jobber, successive discounts of 45 and 5 percent.

(c) The maximum prices established by this order are subject to such further cash discounts, transportation allowances and price differentials at least as favorable as those which each seller extended or rendered or would have extended or rendered during March 1942, on sales of commodities in the same general category.

(d) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(e) Each seller covered by this order, except on sales to consumers, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers except dealers upon resale.

(f) Charles P. West shall attach to each water softener covered by this order a tag containing the following:

OPA Maximum Retail Price Not Installed
$------

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 21, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 822 UNDER SECTION 9 OF MAXIMUM PRICE REGULATION NO. 591

The accompanying Order No. 822 under section 9 of Maximum Price Regulation No. 591 establishes maximum prices for sales at all levels of distribution for water softeners manufactured by Charles P. West of Detroit, Michigan.

These particular commodities were only recently introduced into the market by the manufacturer. Maximum prices for the items could not be established under sections 7 or 8 of Maximum Price Regulation No. 591, because this company had never manufactured comparable commodities. Consequently, maximum prices must be approved pursuant to the provisions of section 9 of Maximum Price Regulation No. 591.

In its application the company submitted its proposed prices for the commodities covered by this order. An analysis of the information submitted indicated that the prices requested are in line with the prices of competitive manufacturers for comparable commodities and, therefore, are in line with the level of prices established under Maximum Price Regulation No. 591.

In order to avoid any confusion on the part of resellers as to their maximum prices and for the purposes of protecting consumers, the accompanying order establishes dollars and cents prices for all levels of distribution. Maximum prices established for resellers reflect the usual margins of such resellers on sales of comparable products.

The commodities manufactured by this company will be distributed by many resellers who may or may not have access to copies of the accompanying order. Therefore, in order to avoid confusion on the part of resellers who do not have access to this order, the order provides that the manufacturer attach to each water softener a tag on which will be printed the article's maximum consumer price. In addition, each seller, except on sales to consumers, is required to notify each of his purchasers of his maximum prices as well as purchasers' maximum prices on resale.

All provisions of the accompanying order and their effect upon business practices, or cost practices or methods or means or aids to distribution in the industry or industries affected, have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, or methods established in the industry or industries affected, have been included in the order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the order or of the act. To the extent that the provisions of this order compel or may operate to compel changes in business practices, cost practices, or methods or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of this order or of the Emergency Price Control Act of 1942, as amended.

The Price Administrator has determined, on the basis of the foregoing that the maximum prices established by the order are in conformity with the Emergency Price Control Act of 1942, as amended, and Executive orders of the President.

[F. R. Doc. 46-17027; Filed, Sept. 20, 1946; 9:51 a. m.]

[MPR 120, Order 1740]

L. & M. COAL CO., ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with

§ 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 14. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.225 and all other provisions of maximum price regulation No. 120.

C & S Coal Co., Route No. 2, Paris, Ark., C & S No. 1 Mine, Paris Seam, Mine Index No. 1068, Logan County, Ark., Production Group No. 3-A for All Methods of Shipment, Rail Shipping Point: Paris, Ark., Deep Mine

	Size group Nos.														
	1, 3A	2, 3	4	5	6, 7, 8	9, 10, 11	12, 13	14, 15, 16	17	18	19	20	21	22	23
All methods of transportation, for all uses	------	------	835	820	835	710	550	410	485	680	730	535	495	415	-----

Enterprise Coal Co., Montana, Ark., Enterprise Mine, Philpott Seam, Mine Index No. 1067, Johnson County, Ark., Production Group No. 2-A for All Methods of Shipment, Rail Shipping Point: Ozark, Ark., Deep Mine

All methods of transportation, for all uses	------	------	755	740	755	725	605	410	485	630	680	535	495	415	-----

A. M. Hobbs & Sons Coal Co., Midland, Ark., Hobbs No. 7 Mine, Upper and/or Lower Hartshorne Seam, Mine Index No. 1066, Sebastian County, Ark., Production Group 5-A for All Methods of Shipment, Rail Shipping Points: Hartford & Midland, Ark., Deep Mine

All methods of transportation, for all uses	------	------	780	765	780	675	605	410	485	590	640	535	495	415	775

L. & M. Coal Co., c/o Woodrow Lovelace, Paris, Ark., L. & M. No. 1 Mine, Paris Seam, Mine Index No. 1064, Logan County, Ark., Production Group No. 3-A for All Methods of Shipment, Rail Shipping Point: Paris, Ark., Deep Mine

All methods of transportation, for all uses	------	------	835	820	835	710	550	410	485	680	730	535	495	415	-----

Paris Purity Coal Co., Paris, Ark., Paris Purity No. 8 Mine, Lower Hartshorne Seam, Mine Index No. 1065, Sebastian County, Ark., Production Group No. 5 for All Methods of Shipment, Rail Shipping Point: Midland, Ark., Strip Mine

All methods of transportation, for all uses	600	585	------	------	600	565	500	275	380	450	500	430	390	310	670

This order shall become effective September 21, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER 1740 UNDER MAXIMUM PRICE REGULATION 120

The order which this opinion accompanies establishes maximum prices and price classifications and assigns mine index numbers to mines in District No. 14 which had not been classified and numbered by the former Bituminous Coal Division. This is done in accordance with §1340.210 (a) (6) of the Regulation which provides for this action.

Under this section, a producer is required to file an application for maximum prices and classifications based upon those of the nearest mine in the same or substantially similar seams. Generally the producer requests the prices and classifications he deems proper.

This application was then submitted to the industry advisory committee for District No. 14. The prices and classifications established are those recommended by the committee and those requested by the applicants, if a request was made, and are fair and equitable.

[F. R. Doc. 46-17017; Filed, Sept. 20, 1946; 8:49 a. m.]

[MPR 591, Order 823]

WATERS BURNER CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, for sales by any person of the following gas conversion burners manufactured by Waters Burner Company of Bradford, Pennsylvania, and as described in the application dated August 1, 1946, shall be:

	F. o. b. point of shipment on sales to—		Installed ready for operation on sales to consumers
	Distributors	Dealers	
Model D-10 burner	$83.70	$97.65	$163.00
Model D-12 burner	89.70	104.65	170.00
Model D-14 burner	95.70	111.65	177.00
Model D-16 burner	101.70	118.65	184.00
Model D-18 burner	107.70	125.65	191.00

(b) The maximum net prices established by this order shall be subject to discounts and allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of commodities in the same general category during March 1942.

(c) Each seller covered by this order, except on sales to a consumer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 21, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 823 UNDER SECTION 9 OF MAXIMUM PRICE REGULATION NO. 591

The accompanying Order No. 823 under section 9 of Maximum Price Regulation No. 591 establishes maximum prices for sales at all levels of distribution for gas conversion burners manufactured by Waters Burner Corporation of Bradford, Pennsylvania.

These particular commodities were only recently introduced into the market by the manufacturer. Maximum prices for the items could not be established under section 7 or 8 of Maximum Price Regulation No. 591, because this company had never manufactured comparable commodities. Consequently, maximum prices must be approved pursuant to the provisions of section 9 of Maximum Price Regulation No. 591.

In its application the company submitted its proposed prices for the commodities covered by this order. An analysis of the information submitted indicated that the prices approved are in line with the prices of competitive manufacturers for comparable commodities and, therefore, are in line with the level

of prices established under Maximum Price Regulation No. 591.

In order to avoid any confusion on the part of resellers as to their maximum prices and for the purposes of protecting consumers, the accompanying order establishes dollars-and-cents prices for all levels of distribution. Maximum prices established for resellers reflect the usual margins of such resellers on sales of comparable products.

The commodities manufactured by this company will be distributed by many resellers who may or may not have access to copies of the accompanying order. Therefore, in order to avoid confusion on the part of resellers who do not have access to this order, the order provides that the manufacturer shall notify each of its purchasers of its maximum prices as well as purchasers' maximum resale prices.

All provisions of the accompanying order and their effect upon business practices, or cost practices or methods or means or aids to distribution in the industry or industries affected, have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, or methods established in the industry or industries affected, have been included in the order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the order or of the act. To the extent that the provisions of this order compel or may operate to compel changes in business practices, cost practices, or methods or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of this order or of the Emergency Price Control Act of 1942, as amended.

The Price Administrator has determined, on the basis of the foregoing that the maximum prices established by the order are generally fair and equitable, and are in conformity with the Emergency Price Control Act of 1942, as amended, and Executive orders of the President.

[F. R. Doc. 46–17028; Filed, Sept. 20, 1946; 8:55 a. m.]

[MPR 120, Order 1741]

Banks & Williams Coal Co. et al.

Establishment of Maximum Prices and Price Classifications

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. The mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provision of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

Banks & Williams Coal Co., Whitesburg, Ky., Banks & Williams Coal Co. Mine, Maxard No. 4 Seam, Mine Index No. 7846, Letcher County, Ky., Subdistrict 3, Rail Shipping Point: Cowen Siding, Ky., F. O. G. 100, Deep Mine, Maximum Truck Price Group No. 5

	Size group Nos.														
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21	22
Price classification	M	M	M	M	K	K	J	C	E	G	D	K	K	K	-----
Rail shipment and railroad fuel [1]	411	411	406	406	406	396	376	371	371	406	361	346	341	341	-----
Truck shipment	441	421	396	396	381	356	321	316	-----	-----	-----	-----	-----	-----	-----

Combs Brothers, Carrie, Knott County, Ky., Combs Brothers Mine, Hazard No. 7 Seam, Mine Index No. 7850, Knott County, Ky., Subdistrict 3, Rail Shipping Point: Feetham, Ky., F. O. G. 100, Deep Mine, Maximum Truck Price Group No. 5.

Price classification	M	M	M	M	M	M	L	J	G	J	D	H	H	H	-----
Rail shipment	411	411	406	406	381	376	371	361	361	401	361	356	346	341	-----
Railroad fuel	411	411	406	406	381	376	371	371	371	401	361	356	346	341	-----
Truck shipment	441	421	396	396	381	356	321	316	-----	-----	-----	-----	-----	-----	-----

Clayton Selvage, Denver, Ky., Selvage Mine, Millers Creek Seam, Mine Index No. 7851, Johnson County, Ky., Subdistrict 1, Rail Shipping Point: Paintsville, Ky., F. O. G. 61, Deep Mine, Maximum Truck Price Group No. 2

Price classification	D	D	D	D	E	E	E	E	C	C	A	G	G	G	L
Rail shipment and railroad fuel	466	456	456	441	431	401	381	376	376	431	366	356	346	341	301
Truck shipment	476	456	411	426	391	366	321	316	-----	-----	-----	-----	-----	-----	-----

H. S. Short Coal Co., Fisty, Ky., Short Mine, Hazard No. 7 Seam, Mine Index No. 7844, Knott County, Ky., Subdistrict 3, Rail Shipping Point: Feetham, Ky., F. O. G. 100, Deep Mine, Maximum Truck Price Group No. 5

Price classification	M	M	M	M	M	M	L	J	G	J	D	H	H	H	-----
Rail shipment	411	411	406	406	381	376	371	361	361	401	361	356	346	341	-----
Railroad fuel	411	411	406	406	381	376	371	371	371	401	361	356	346	341	-----
Truck shipment	441	421	396	396	381	356	321	316	-----	-----	-----	-----	-----	-----	-----

[1] Subject to the provisions of Second Revised Order No. 1432 under MPR 120, as amended.

This order shall become effective September 21, 1946.

Issued this 20th day of September 1946.

Paul A. Porter,
Administrator.

Opinion Accompanying Order 1741 Under Maximum Price Regulation 120

The order which this opinion accompanies establishes maximum prices and price classifications and assigns mine index numbers to mines in District No. 8 which had not been classified and numbered by the former Bituminous Coal Division. This is done in accordance with § 1340.210 (a) (6) of the Regulation which provides for this action.

Under this section, a producer is required to file an application for maximum prices and classifications based upon those of the nearest mine in the same or substantially similar seams. Generally the producer requests the prices and classification he deems proper.

This application was then submitted to the industry advisory committee for District No. 8. The prices and classifications established are those recommended by the committee and those requested by the applicants, if a request was made, and are fair and equitable.

[F. R. Doc. 46–17018; Filed, Sept. 20, 1946; 8:51 a. m.]

[MPR 120, Order 1742]

Hill Top Coal Co. et al.

Establishment of Maximum Prices and Price Classifications

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 7. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and State. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for

railroad locomotive fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.218 and all other provisions of Maximum Price Regulation No. 120.

HILL TOP COAL CO., HINTON, W. VA., HILL TOP COAL CO. MINE, SEWELL SEAM, MINE INDEX NO. 1106, FAYETTE COUNTY, W. VA., SUBDISTRICT 2, RAIL SHIPPING POINT: RUSSELLVILLE, W. VA., DEEP MINE

	Size group Nos.									
	1	2	3	4	5	6	7	8	9	10
Price classification	A	A	A	A	A	A	A	B	B	B
Rail shipment	523	533	498	443	433	468	438	408	403	398
Truck shipment	553	473	503	438	423	418	------	------	------	------

LECKIE SMOKELESS COAL CO., HARTMAN BLDG., COLUMBUS, OHIO, ANJEAN NO. 9 MINE, FIRE CREEK SEAM, MINE INDEX NO. 1122, GREENBRIER COUNTY, W. VA., SUBDISTRICT 1, RAIL SHIPPING POINT: ANJEAN, W. VA., DEEP MINE

Price classification	D	D	C	A	A	B	B	C	C	C
Rail shipment	468	478	488	443	433	468	438	403	398	393
Truck shipment	553	473	503	438	423	418	------	------	------	------

Railroad locomotive fuel for the following Mine Index Nos. 1106 and 1122:	
Any single-screened lump or double-screened coals	453
Run of mine	438
Screenings, larger than 1¼" x 0 but not exceeding 2½" x 0	423
Screenings, 1¼" x 0 and smaller	398

This order shall become effective September 21, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER 1742 UNDER MAXIMUM PRICE REGULATION 120

The order which this opinion accompanies establishes maximum prices and price classifications and assigns mine index numbers to mines in District No. 7 which had not been classified and numbered by the former Bituminous Coal Division. This is done in accordance with § 1340.210 (a) (6) of the Regulation which provides for this action.

Under this section, a producer is required to file an application for maximum prices and classifications based upon those of the nearest mine in the same or substantially similar seams. Generally the producer requests the prices and classifications he deems proper.

This application was then submitted to the industry advisory committee for District No. 7. The prices and classifications established are those recommended by the committee and those requested by the applicants, if a request was made, and are fair and equitable.

[F. R. Doc. 46-17019; Filed, Sept. 20, 1946; 9:57 a. m.]

[MPR 591, Order 824]

G. I. HAUK & CO., INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices, f. o. b. point of shipment, for sales by any person of the following frozen food cabinet manufactured by G. I. Hauk & Company, Incorporated, 3041–43 Locust Street, St. Louis, Missouri, and as described in the application dated August 28, 1946, which is on file with the Mechanical Building Equipment Price Branch, Office of Price Administration, Washington 25, D. C., shall be:

	On sales to—		
	Distributors	Dealers	Consumers
10 cubic feet	$212.50	$255.00	$425.00

(b) The maximum net prices established in (a) above may be increased by the following amount to each class of purchaser to cover the cost of crating when crating is actually supplied: $6.00.

(c) The maximum net prices established by this order shall be subject to discounts and allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of similar commodities in the same general category on October 1, 1941.

(d) On sales by a distributor or dealer the following charges may be added to the maximum prices established in (a) above:

(1) The actual amount of freight paid to obtain delivery to his place of business. Such charges shall not exceed the lowest common carrier rates.

(2) Crating charges actually paid to his supplier but in no instance exceeding the amount specified in (b) above.

(e) Each seller covered by this order, except a dealer, shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale, except dealers, including allowable transportation and crating charges.

(f) The G. I. Hauk & Company, Incorporated, 3041–43 Locust Street, St. Louis, Missouri shall stencil on the frozen food cabinet covered by this order, substantially the following:

OPA Maximum Retail Price $------
Plus freight and crating as provided in Order No. 824 under Maximum Price Regulation No. 591.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 21, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 824 UNDER SECTION 9 OF MAXIMUM PRICE REGULATION NO. 591

The accompanying Order No. 824 under section 9 of Maximum Price Regulation No. 591 establishes maximum prices for sales at all levels of distribution for frozen food cabinets manufactured by the G. I. Hauk & Company, Incorporated, 3041–43 Locust Street, St. Louis, Missouri.

These particular commodities were only recently introduced into the market by the manufacturer. Maximum prices for the items could not be established under sections 7 and 8 of Maximum Price Regulation No. 591, because this company had never manufactured comparable commodities. Consequently, maximum prices must be approved pursuant to the provisions of section 9 of Maximum Price Regulation No. 591.

In its application the company submitted its proposed prices for the commodities covered by this order. Based on an analysis of the information submitted the prices set forth in the accompanying order are in line with the prices of competitive manufacturers for comparable commodities and, therefore, are in line with the level of prices established under Maximum Price Regulation No. 591.

In order to avoid any confusion on the part of resellers as to their maximum prices and for the purposes of protecting consumers, the accompanying order establishes dollars-and-cents prices for all levels of distribution. Maximum prices established for resellers reflect the usual margins of such resellers on sales of comparable products. The order also provides that distributors may, under certain circumstances, add delivery charges to the dollars-and-cents maximum prices established to cover actual freight paid to obtain delivery and crating charges actually paid.

The commodities manufactured by this company will be distributed by many resellers who may or may not have access to copies of the accompanying order. Therefore, in order to avoid confusion on the part of resellers who do not have access to this order, the order provides that the G. I. Hauk & Company, Incorporated, shall notify each of its purchasers of its maximum prices as well as purchasers' maximum resale prices. The order further provides that the G. I. Hauk & Company, Incorporated, shall stencil on the inside of the lid of the frozen food cabinet the maximum retail price thereof.

All provisions of the accompanying order and their effect upon business practices, or cost practices, or methods or means or aids to distribution in the industry or industries affected, have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, or methods established in the industry or industries affected, have been included in the order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the order or of the act. To the extent that the provisions of this order compel or may operate to compel changes in business practices, cost practices, or methods or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of this order or of the Emergency Price Control Act of 1942, as amended.

The Price Administrator has determined, on the basis of the foregoing that the maximum prices established by the order are generally fair and equitable, and are in conformity with the Emergency Price Control Act of 1942, as amended, and Executive orders issued by the President.

[F. R. Doc. 47-17029; Filed, Sept. 20, 1946; 8:54 a. m.]

[MPR 120, Order 1743]

TONY PAWLOSKY ET AL.

ESTABLISHMENT OF MAXIMUM PRICES AND PRICE CLASSIFICATIONS

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation, No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

TONY PAWLOSKY, 103 SOUTH MAIN ST., HOUSTON, PA., MALONEY MINE, PITTSBURGH SEAM, MINE INDEX NO. 4575, ALLEGHENY COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: MCADAMS, PA., DEEP MINE, RAILROAD FUEL PRICE GROUP B, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	A	A	C	C	F	F	H	H	H	-------	-------
Rail shipment	426	426	406	406	371	361	331	331	321	-------	-------
Railroad fuel	426	426	406	406	386	371	331	331	331	331	-------
Truck shipment	496	496	496	461	431	431	431	396	356	356	341

PENNCOAL INC., FARMERS BANK BLDG., PITTSBURGH, PA., PENNCOAL MINE, PITTSBURGH SEAM, MINE INDEX NO. 4598, FAYETTE COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: MAXWELL, PA., STRIP MINE, R. R. FUEL PRICE GROUP E, MAXIMUM TRUCK PRICE GROUP NO. 7

Price classification	E	E	C	C	B	B	C	C	C	-------	-------
Rail shipment	319	319	319	319	319	309	284	284	264	-------	-------
Railroad fuel	319	319	319	319	319	309	284	284	264	249	-------
Truck shipment	424	424	424	394	384	384	384	319	299	299	274

RATHGEB & GORR, 939 JEFFERSON ST., MCKEESPORT, PA., MOLLER MINE, PITTSBURGH SEAM, MINE INDEX NO. 4581, ALLEGHENY COUNTY, PA., SUBDISTRICT 7, RAIL SHIPPING POINT: BRUCETON, PA., STRIP MINE, R. R. FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 5

Price classification	A	A	C	C	C	C	C	C	C	-------	-------
Rail shipment	339	339	319	319	319	309	284	284	264	-------	-------
Railroad fuel	339	339	319	319	319	309	284	284	264	254	-------
Truck shipment	434	434	434	399	369	369	369	334	294	294	279

STILES CO., R. D. NO. 1, BOX 254, IRWIN, PA., MARRETTI VALLEY MINE, PITTSBURGH SEAM, MINE INDEX NO. 4593, WESTMORELAND COUNTY, PA., SUBDISTRICT 6, RAIL SHIPPING POINT: WILPEN, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP B, MAXIMUM TRUCK PRICE GROUP NO. 8

Price classification	G	G	G	G	H	H	G	G	G	-------	-------
Rail shipment	294	294	284	284	279	269	254	254	239	-------	-------
Railroad fuel	299	299	299	299	299	284	254	254	244	244	-------
Truck shipment	424	424	424	404	374	374	374	314	294	294	264

KRETT & GANTNER, R. D. NO. 1, FAYETTE CITY, PA., K & G MINE, PITTSBURGH SEAM, MINE INDEX NO. 4580, WASHINGTON COUNTY, PA., SUBDISTRICT 9, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 6

Truck shipment	496	496	496	456	446	446	446	396	361	361	326

ERNEST NAGY, R. D. NO. 2, HILLIARDS, PA., NAGY MINE, MIDDLE KITTANNING SEAM, MINE INDEX NO. 4592, BUTLER COUNTY, PA., SUBDISTRICT 1, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 2

Truck shipment	506	506	506	486	476	476	476	391	361	361	341

WM. RODABAUGH, R. D. NO. 3, ELIZABETH, PA., RODABAUGH MINE, PITTSBURGH SEAM, MINE INDEX NO. 4527, ALLEGHENY COUNTY, PA., SUBDISTRICT 9, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Truck shipment	496	496	496	461	431	431	431	396	356	356	341

ROSS COAL CO., 544 WYLIE AVE., CLAIRTON, PA., ROSS NO. 2 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4572, ALLEGHENY COUNTY, PA., SUBDISTRICT 9, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

Truck shipment	496	496	496	461	431	431	431	396	356	356	341

FRANK SALAK, R. D. NO. 1, COWANSVILLE, PA., SALAK MINE, UPPER KITTANNING SEAM, MINE INDEX NO. 4566, ARMSTRONG COUNTY, PA., SUBDISTRICT 1, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 10

Truck shipment	466	466	466	436	431	431	431	366	346	346	326

VIGILANT GAS COAL CO., CALIFORNIA, PA., VIGILANT MINE, PITTSBURGH SEAM, MINE INDEX NO. 4583, WASHINGTON COUNTY, PA., SUBDISTRICT 9, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 6

Truck shipment	496	496	496	456	446	446	446	396	361	361	326

This order shall become effective September 21, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER 1743 UNDER MAXIMUM PRICE REGULATION 120

The order which this opinion accompanies establishes maximum prices and price classifications and assigns mine index numbers to mines in District No. 2 which had not been classified and numbered by the former Bituminous Coal Division. This is done in accordance with § 1340.210 (a) (6) of the Regulation which provides for this action.

Under this section, a producer is required to file an application for maximum prices and classifications based upon those of the nearest mine in the same or substantially similar seams. Generally the producer requests the prices and classifications he deems proper.

This application was then submitted to the industry advisory committee for District No. 2. The prices and classifications established are those recommended

by the committee and those requested by the applicants, if a request was made, and are fair and equitable.

[F. R. Doc. 46-17020; Filed, Sept. 20, 1946; 9:57 a. m.]

[MPR 591, Order 825]

JABAR MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 9 of Maximum Price Regulation No. 591, *It is ordered:*

(a) The maximum net prices for sales by any person to consumers of the following steel wall cabinets manufactured by Jabar Manufacturing Company of Ozone Park, New York and as described in the application dated August 31, 1946 shall be:

Steel wall cabinets

Model		
1818	18" x 13" x 18"	$17.50
1824	24" x 13" x 18"	24.50
3018	18" x 13" x 30"	22.75
3021	21" x 13" x 30"	26.25
3024	24" x 13" x 30"	29.75

(b) The maximum net prices f. o. b. point of shipment for sales to dealers shall be the maximum prices in (a) above less a discount of 40 percent.

(c) The maximum net prices f. o. b. point of shipment on sales to jobbers shall be the maximum net prices in (a) above less successive discounts of 50 and 12 percent.

(d) The maximum net prices established by this order shall be subject to discounts and allowances including transportation allowances and the rendition of services which are at least as favorable as those which each seller extended or rendered or would have extended or rendered to purchasers of the same class on comparable sales of commodities in the same general category during March 1942.

(e) The maximum prices on an installed basis of the commodities covered by this order shall be determined in accordance with Revised Maximum Price Regulation No. 251.

(f) Each seller covered by this order, except on sales to consumers shall notify each of his purchasers, in writing, at or before the issuance of the first invoice after the effective date of this order, of the maximum prices established by this order for each such seller as well as the maximum prices established for purchasers upon resale.

(g) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective September 21, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER NO. 825 UNDER SECTION 9 OF MAXIMUM PRICE REGULATION NO. 591

The accompanying Order No. 825 under section 9 of Maximum Price Regulation No. 591 establishes maximum prices for sales at all levels of distribution for steel wall cabinets manufactured by Jabar Manufacturing Company, Ozone Park, New York.

These particular commodities were only recently introduced into the market by the manufacturer. Maximum prices for the items could not be established under section 7 or 8 of Maximum Price Regulation No. 591, because this company had never manufactured comparable commodities. Consequently, maximum prices must be approved pursuant to the provisions of section 9 of Maximum Price Regulation No. 591.

In its application the company submitted its proposed prices for the commodities covered by this order. An analysis of the information submitted indicated that the prices requested are in line with the prices of competitive manufacturers for comparable commodities and, therefore, are in line with the level of prices established under Maximum Price Regulation No. 591.

In order to avoid any confusion on the part of resellers as to their maximum prices and for the purposes of protecting consumers, the accompanying order establishes dollars-and-cents prices for all levels of distribution. Maximum Prices established for resellers reflect the usual margins of such resellers on sales of comparable products.

The commodities manufactured by this company will be distributed by many resellers who may or may not have access to copies of the accompanying order. Therefore, in order to avoid confusion on the part of resellers who do not have access to this order, the order provides that the manufacturer shall notify each of its purchasers of its maximum prices as well as purchasers' maximum resale prices.

All provisions of the accompanying order and their effect upon business practices, or cost practices or methods or means or aids to distribution in the industry or industries affected, have been carefully considered. No provisions which might have the effect of requiring a change in such practices, means, or methods established in the industry or industries affected, have been included in the order unless such provisions have been found necessary to achieve effective price control and to prevent circumvention or evasion of the order or of the act. To the extent that the provisions of this order compel or may operate to compel changes in business practices, cost practices, or methods or means or aids to distribution established in the industry or industries affected, such provisions are necessary to prevent circumvention or evasion of this order or of the Emergency Price Control Act of 1942, as amended.

The Price Administrator has determined, on the basis of the foregoing that the maximum prices established by the order are generally fair and equitable, and are in conformity with the Emergency Price Control Act of 1942, as amended and Executive orders of the President.

[F. R. Doc. 46-17030; Filed, Sept. 20, 1946; 8:54 a. m.]

[RMPR 86, Order 78]

ELECTRIC HOUSEHOLD UTILITIES CORP.

APPROVAL OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 14 of Revised Maximum Price Regulation No. 86, *It is ordered:*

(a) This order establishes differentials which distributors of washing machines and ironing machines manufactured by the Electric Household Utilities Corporation, 54th Avenue and Cermak Road, Chicago, Illinois, may add to their ceiling prices established under Revised Maximum Price Regulation No. 86 or orders thereunder for their sales of such washers and ironers to servicing dealers if, at the request of the dealer, they provide the consumer owning the machine with all the service necessary to comply with the one year warranty on the machine.

(b) A distributor who, at the request of the dealer to whom he sells a washing machine or ironing machine produced by the Electric Household Utilities Corporation agrees to furnish the consumer purchasing the machine with whatever service is necessary to comply with the one year warranty applicable to the machine, shall determine his ceiling price for sale of the machine to dealers who purchase from him subject to such an agreement by adding to his properly determined ceiling price for sales of the same washer or ironer to dealers who themselves provide the necessary warranty service a sum no greater than that set forth below opposite each type of machine:

Type of machine	*Amount which may be added*
Models 200 C or 400 C washing machines	$3.50 each.
Wringer type washing machines	1.50 each.
Ironing machines	1.50 each.

A distributor may not collect the additional charge allowed by this order unless he separately states that charge on the invoice covering the sale of the washing machine to which the charge is applicable.

(c) All the provisions of Revised Maximum Price Regulation No. 86 continue to apply to all sales and deliveries of machines covered by this order, except to the extent that those provisions are modified by this order.

(d) Unless the context requires otherwise, the definitions set forth in the various sections of Revised Maximum Price Regulation No. 86 shall apply to the terms used herein.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 21st day of September 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER 78 UNDER REVISED MAXIMUM PRICE REGULATION 86

All washing and ironing machines sold by the Electric Household Utilities Corporation, 54th Avenue and Cermak Road,

Chicago, Illinois, are sold at retail subject to a one year warranty. Customarily, whatever services were necessary to comply with this warranty were provided free of charge by the dealer. It now appears, however, that many dealers selling washing or ironing machines produced by the Corporation are not equipped to supply such services and have requested the distributors supplying them to take on the burden of complying with the one year warranty. Accordingly, a number of individual distributors have applied to this Office for the establishment of a differential to reflect the value of the additional services they must supply in connection with the sale of a washer to this type of dealer.

This Office has considered all the data submitted and, on the basis of those data and additional information available to it, has established a differential covering sales to dealers subject to an agreement by the distributor to supply to the purchasing consumer on behalf of the dealer the service needed to comply with the one year warrant. The differential established, in the case of wringer type machines and ironers, is in line with that charged during October, 1941 in connection with similar sales of similar machines produced by other manufacturers. The differential established for sales of semi-automatic and automatic washers adds to the differential set up for wringer type washers an appropriate allowance which reflects the greater cost and probable more frequent incidence of service calls in connection with the more complex machinery contained in automatic and semi-automatic washers.

[F. R. Doc. 46–17010; Filed, Sept. 20, 1946; 9:58 a. m.]

[MPR 120, Order 1745]

C. & S. Coal Co. et al

Establishment of Maximum Prices and Price Classifications

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120, *It is ordered:*

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 2. The mine index numbers and the price classifications assigned are permanent but the maximum prices may be changed by an amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipment are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.213 and all other provisions of Maximum Price Regulation No. 120.

C & S Coal Co., Box 638, Perryopolis, Pa., C & S Coal Co. Mine, Sewickley Seam, Mine Index No. 4570, Fayette County, Pa., Subdistrict 3, Rail Shipping Point: Martin, Pa., Deep Mine, Railroad Fuel Price Group G, Maximum Truck Price Group No. 7

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	J	J	H	H	H	H	H	H	H	-------	-------
Rail shipment	381	381	366	366	366	356	331	331	321	-------	-------
Railroad fuel	381	381	366	366	366	356	331	331	326	326	-------
Truck shipment	486	486	486	456	446	446	446	381	361	361	336

Coal Valley Coal Co., 408 34th St., McKeesport, Pa., Coal Valley Mine, Pittsburgh Seam, Mine Index No. 4584, Allegheny County, Pa., Subdistrict 9, Rail Shipping Point: Mifflin Junction, Pa., Deep Mine, Railroad Fuel Price Group A, Maximum Truck Price Group No. 5

Price classification	D	D	C	C	C	C	C	C	C	-------	-------
Rail shipment	406	406	406	406	406	396	371	371	351	-------	-------
Railroad fuel	406	406	406	406	406	396	371	371	351	341	-------
Truck shipment	496	496	496	461	431	431	431	396	356	356	341

Delmont Fuel Co., 409 Bank & Trust Co. Bldg., Greensburg, Pa., Delmont No. 9 Redstone Mine, Redstone Seam, Mine Index No. 4574, Westmoreland County, Pa., Subdistrict 9, Rail Shipping Point: Harrison City, Pa., Strip Mine, Railroad Fuel Price Group D, Maximum Truck Price Group No. 8

Price classification	G	G	G	G	G	G	G	G	G	-------	-------
Rail shipment	294	294	284	284	284	274	254	254	239	-------	-------
Railroad fuel	294	294	289	289	289	274	254	254	244	244	-------
Truck shipment	424	424	424	404	374	374	374	314	294	294	264

The Domestic Coal Co., Stoneboro, Pa., Wolf Creek No. 5 Mine, Brookville Seam, Mine Index No. 4591, Mercer County, Pa., Subdistrict 1, Rail Shipping Point: Grove City, Pa. Strip Mine, Railroad Fuel Price Group A, Maximum Truck Price Group No. 3 [1]

Price classification	G	G	G	G	G	F	G	G	G	-------	-------
Rail shipment	294	294	284	284	284	274	254	254	239	-------	-------
Railroad fuel	299	299	299	299	299	284	254	254	254	254	-------
Truck shipment	444	444	444	409	404	404	404	329	274	274	249

The Domestic Coal Co., Stoneboro, Pa., Wolf Creek No. 4 Mine, Kittanning Seam, Mine Index No. 4582, Butler County, Pa., Subdist. 1, Rail Shipping Point: Grove City or Harrisville, Pa., Strip Mine, Railroad Fuel Price Group A, Maximum Truck Price Group No. 2 [1]

Price classification	E	E	D	D	C	C	D	D	D	-------	-------
Rail shipment	319	319	309	309	319	309	279	279	254	-------	-------
Railroad fuel	319	319	309	309	319	309	279	279	254	254	-------
Truck shipment	444	444	444	424	414	414	414	329	299	299	279

Hall & Hall Construction Co., Murraysville, Pa., Junior No. 1 Mine, Pittsburgh Seam, Mine Index No. 4585, Westmoreland County, Pa., Subdistrict 9, Rail Shipping Point: Delmont, Pa., Strip Mine, Railroad Fuel Price Group A, Maximum Truck Price Group No. 8

Price classification	D	D	C	C	C	C	D	D	D	-------	-------
Rail shipment	319	319	319	319	319	309	279	279	254	-------	-------
Railroad fuel	319	319	319	319	319	309	279	279	254	254	-------
Truck shipment	424	424	424	404	374	374	374	314	294	294	264

Hall & Hall Construction Co., Murraysville, Pa., Junior No. 2 Mine, Pittsburgh Seam, Mine Index No. 4586, Westmoreland County, Pa., Subdistrict 9, Rail Shipping Point: Export, Pa., Strip Mine, Railroad Fuel Price Group A, Maximum Truck Price Group No. 8

Price classification	D	D	C	C	C	C	D	D	D	-------	-------
Rail shipment	319	319	319	319	319	309	279	279	254	-------	-------
Railroad fuel	319	319	319	319	319	309	279	279	254	254	-------
Truck shipment	424	424	424	404	374	374	374	314	294	294	264

Harrison & Quinette Coal Co., R. D. No. 1, Harts Run Rd., Glenshaw, Pa., Harrison & Quinette Mine, Twin Freeport Seam, Mine Index No. 4574, Allegheny County, Pa., Subdistrict 8, Rail Shipping Point: Bairdford, Pa., Deep Mine, Railroad Fuel Price Group A

Price classification	E	E	D	D	C	C	C	C	C	-------	-------
Rail shipment	406	406	396	396	406	396	371	371	351	-------	-------
Railroad fuel	406	406	396	396	406	396	371	371	351	341	-------
Truck shipment [2]	496	496	496	461	431	431	431	396	356	356	341

Karl E. Kahley, R. D. No. 1, Box 224, Connelsville, Pa., Beeson Mine, Pittsburgh Seam, Mine Index No. 4571, Fayette County, Pa., Subdistrict 3, Rail Shipping Point: Hopwood, Pa., Strip Mine, Railroad Fuel Price Group A, Maximum Truck Price Group No. 7

Price classification	E	E	C	C	B	B	C	C	C	-------	-------
Rail shipment	319	319	319	319	319	309	284	284	264	-------	-------
Railroad fuel	319	319	319	319	319	309	284	284	264	254	-------
Truck shipment	424	424	424	394	384	384	384	319	299	299	274

[1] Subject to the provisions of Order No. 1716 under MPR 120.
[2] Previously established.

PAUL W. KENDI, R. D. No. 3, MOUNT PLEASANT, PA., KENDI NO. 5 MINE, PITTSBURGH SEAM, MINE INDEX NO. 4588, WESTMORELAND COUNTY, PA., SUBDISTRICT 3, RAIL SHIPPING POINT: NORTH SCOTTDALE SIDING, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 8

	Size group Nos.										
	1	2	3	4	5	6	7	8	9	10	11
Price classification	E	E	C	C	B	B	C	C	C	-------	-------
Rail shipment	319	319	319	319	319	309	284	284	264	-------	-------
Railroad fuel	319	319	319	319	319	309	284	284	264	254	-------
Truck shipment	424	424	424	404	374	374	374	314	294	294	264

QUATTRONE & RIPEPI COAL CO., GALLATIN, PA., SEWICKLEY RUN MINE, PITTSBURGH SEAM, MINE INDEX NO. 4587, WESTMORELAND COUNTY, PA., SUBDISTRICT 9, RAIL SHIPPING POINT: LOWBER AND BLYTHEDALE, PA., STRIP MINE, RAILROAD FUEL PRICE GROUP A, MAXIMUM TRUCK PRICE GROUP NO. 8

Price classification	D	D	C	C	C	C	C	C	C	-------	-------
Rail shipment	319	319	319	319	319	309	284	284	264	-------	-------
Railroad fuel	319	319	319	319	319	309	284	284	264	254	-------
Truck shipment	424	424	424	404	374	374	374	314	294	294	264

This order shall become effective September 21, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER 1745 UNDER MAXIMUM PRICE REGULATION 120

The order which this opinion accompanies establishes maximum prices and price classifications and assigns mine index numbers to mines in District No. 2 which had not been classified and numbered by the former Bituminous Coal Division. This is done in accordance with § 1340.210 (a) (6) of the Regulation which provides for this action.

Under this section, a producer is required to file an application for maximum prices and classifications based upon those of the nearest mine in the same or substantially similar seams. Generally the producer requests the prices and classifications he deems proper.

This application was then submitted to the industry advisory committee for District No. 2. The prices and classifications established are those recommended by the committee and those requested by the applicants, if a request was made, and are fair and equitable.

[F. R. Doc. 46-17021; Filed, Sept. 20, 1946; 9:54 a. m.]

[MPR 64, Order 317]

FIRESTONE TIRE & RUBBER CO.

APPROVAL OF CEILING PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 11 of Maximum Price Regulation No. 64, *It is ordered:*

(a) This order establishes ceiling prices for sales to consumers of the Models No. 5-C-10 and 5-C-11 electric ranges manufactured for sale by the Firestone Tire & Rubber Company, Akron 17, Ohio, as follows:

Model	Ceiling prices for sales to consumers	
	Zone 1	Zone 2
5-C-10	$195.00	$203.50
5-C-11	231.75	240.25

These ceiling prices include the Federal excise tax, delivery, a one year warranty and installation where the installation requires only that the range be connected to electric facilities to be provided by the consumer and such connection does not require any additional materials. If a range cord set (customarily referred to in the industry as a "pigtail") is required and is furnished by the retail dealer, he may add $3.50 to the applicable OPA retail ceiling price shown above. In all other respects these ceiling prices are subject to each seller's customary terms, discounts, allowances and other price differentials in effect on sales of similar articles.

(b) For purposes of this order, Zones 1 and 2 are comprised as follows:

Zone 1: Consists of all those portions of the forty-eight states and the District of Columbia not included in Zone 2.

Zone 2: Consists of the states of Arizona, California, Idaho, Oregon, Utah, Wyoming, Washington, Colorado (except the city of Towner), Nevada, New Mexico (except the counties of Chaves, Curry, De Baca, Eddy, Harding, Lea, Quay, Roosevelt and Union); the following counties in Nebraska: Banner, Box Butte, Cherry (except the cities of Crookston, Valentine, Thatcher, Woodlake, Sparks and Arabia), Cheyenne, Dawes, Deuel, Garden, Grant, Hooker, Kimball, Morrill, Scotts Bluff, Sheridan, and Sioux; the town of Phillip and the following counties in South Dakota: Bennett, Butte, Custer, Fall River, Jackson, Lawrence, Meade (except the town of Faith), Pennington, Shannon, Washington and Washabaugh; and the following counties in Texas: Brewster, Culberson, El Paso, Hudspeth, Jeff Davis, Loving, Pecos, Presidio, Reeves and Terrell; Montana except the cities of Richey and Veda and except the counties of Daniels (exclusive of the towns of Carbert, Glutten, Cesetts, Peerless and West Fork), Richland (exclusive of the towns of Burns and Savage), Roosevelt (exclusive of the towns of Lohmiller, Volt and Washa), Sheridan and Wibaux.

(c) The Firestone Tire and Rubber Company shall cause to be attached to the outside oven door panel of each range, prior to its shipment to a retail dealer, a label which contains all the following information:

1. The model number of the range.
2. The OPA retail ceiling price of the range in each zone.
3. A statement of the areas included in each zone.
4. A statement that the ceiling prices shown include the Federal excise tax, delivery, a one year warranty and installation where the installation requires only that the range be connected to electric facilities to be provided by the purchaser and such connection does not require any additional materials.
5. A statement that if the installation requires the use of a range cord set (customarily referred to in the industry as a "pigtail") and a range cord set is furnished by the retail dealer, he may add $3.50 to the applicable OPA retail ceiling price of the range.

(d) Relationship to Maximum Price Regulation No. 64. All the provisions of Maximum Price Regulation No. 64 continue to apply to sales of articles covered by this order, except to the extent that they are modified by this order. The ceiling prices established by this order have been determined in accordance with section 11b of that regulation and may not, therefore, be increased under that section.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 21st day of September 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING ORDER 317 UNDER MAXIMUM PRICE REGULATION 64

Ceiling prices were established under Maximum Price Regulation No. 64 for sales by the manufacturer fabricating electric ranges for resale by Firestone Tire and Rubber Company, Akron 17, Ohio, under its private brand.

The accompanying order establishes dollar-and-cent ceiling prices by zones for sales of these ranges by retail dealers to ultimate consumers. This type of stove is subject to preticketing under Maximum Regulation No. 64, and it is, therefore, necessary to establish these resale prices in order to permit them to be preticketed.

The ceiling prices fixed in the order for resale reflect average markups over each seller's supplier's ceiling price equal to those taken on March 31, 1946, by the same class of seller on similar sales of similar articles. They may not, therefore, be increased under section 11b. The resale price zones established were those which Firestone had in effect during the base period.

In accordance with the preticketing requirements of Maximum Price Regulation No. 64, the Firestone Tire & Rubber Company is required to cause to be attached to each stove sold by it a label setting forth the OPA retail ceiling price for sales in each zone, the states included in each zone, and what the retail price includes.

[F. R. Doc. 46-17009; Filed, Sept. 20, 1946; 9:58 a. m.]

[MPR 601, Order 1]

SOFTWOOD MOULDINGS (VENETIAN BLIND STOCK MOULDINGS)

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to section 7 of Maximum Price Regulation No. 601; *It is ordered:*

(a) The maximum f. o. b. mill prices for direct mill shipment in straight car quantities of Venetian blind stock mouldings manufactured according to the specifications set forth below shall be the following list prices less the discounts named:

KILN DRIED, B & BETTER, FOUR FACED STOCK, SPECIAL BUNDLING HEAD RAILS, TILT RAILS AND BOTTOM RAILS

Size	List	Discount western ponderosa pine	Discount douglas fir, larch, and hemlock
		Percent	*Percent*
¼ x 2⅜	$2.00	29	24
5/16 x 2⅜	2.00	29	24
⅜ x 2⅜	2.00	29	24
7/16 x 2⅜	2.75	29	24
½ x 2	2.25	27	24
½ x 2⅜	2.75	27	24
⅝ x 1 11/16	2.00	19	29
⅝ x 1⅞	2.25	19	24
⅝ x 2⅜	2.75	19	24
1 1/16 x 1¾	2.00	19	24
1 1/16 x 1⅞	2.25	19	24
1 1/16 x 1 15/16	2.25	19	24
1 1/16 x 2	2.25	19	24
1 1/16 x 2⅜	2.50	19	24
1 1/16 x 2⅜	2.75	19	24
1 1/16 x 2¾	3.00	19	24
¾ x 1⅜	1.75	24	29
¾ x 1½	1.75	24	29
¾ x 1¾	2.00	17	24
¾ x 1⅞	2.25	17	24
¾ x 2	2.25	17	24
¾ x 2⅜	2.50	17	24
¾ x 2⅜	2.75	17	24
¾ x 2¾	3.00	17	24
1 3/16 x 1¾	2.00	12	24
1 3/16 x 1⅞	2.25	12	24
1 3/16 x 2	2.25	12	24
1 3/16 x 2⅛	2.50	12	24
1 3/16 x 2⅜	2.75	12	24
⅞ x 1¾	3.30	21	24
⅞ x 1⅞	3.75	21	24
⅞ x 2	3.75	21	24
⅞ x 2¾	4.55	21	24
1 5/16 x 1¾	3.30	21	24
1 5/16 x 1⅞	3.75	21	24
1 5/16 x 2	3.75	21	24
1 5/16 x 2⅜	4.55	21	24
1 3/16 x 1¾	3.30	21	24
1 3/16 x 1⅞	3.75	21	24
1 3/16 x 2	3.75	21	24
1 3/16 x 2⅜	4.55	21	24
1 3/16 x 3⅜	6.60	21	24
1⅛ x 1¾	3.30	21	24
1⅛ x 1⅞	3.75	21	24
1⅛ x 2	3.75	21	24
1⅛ x 2⅜	4.55	21	24
1⅛ x 2¾	5.00	21	24
1 9/32 x 2	4.50	21	24
1⅞ x 2⅛	13.75	21	24
Facia			
¼ x 2¾	3.00	29	24
¼ x 3	3.25	29	24
¼ x 3½	3.75	29	24
9/32 x 2⅞	3.25	29	24
9/32 x 3	3.25	29	24
9/32 x 3¼	3.50	29	24
9/32 x 3½	3.75	29	24
5/16 x 2¾	3.00	29	24
5/16 x 3	3.25	29	24
5/16 x 3¼	3.50	29	24
5/16 x 3⅜	3.75	29	24
5/16 x 3½	3.75	29	24
1 5/32 x 2⅝	3.00	29	24
1 5/32 x 2¾	3.00	29	24
1 5/32 x 3	3.25	29	24
1 5/32 x 3½	3.75	29	24
⅜ x 3	3.25	29	24
⅜ x 3½	3.75	29	24
7/16 x 2¾	2.50	29	24
7/16 x 3½	3.75	29	24
Slats			
⅛ x 1⅞	1.60	36	----------
⅛ x 2	1.60	36	----------
⅛ x 2⅛	1.80	36	----------
⅛ x 2⅜	2.00	29	----------
⅛ x 2¾	3.00	29	----------

(1) For paper wrapping, the discounts may be shortened 2 points.

(2) For sanding flat surfaces, the discounts may be shortened four points for each side sanded, not to exceed 8 points on any one item.

(3) No additions may be made to the above prices for rabbeting or grooving.

(b) All provisions of Maximum Price Regulation 601 not inconsistent with the provisions of this order shall apply to all sales made under this order.

(c) Invoices covering sales made under this order shall bear the statement "Prices established under Order No. 1 under MPR 601."

(d) The following letter orders issued under section 7 of MPR 601 are hereby revoked: Order Nos L–25, L–29, L–30, L–31, L–33, L–34, L–38, L–41, L–42, L–46, L–47, L–50, L–51, L–52, L–53, L–59, L–63, L–65, L–69, L–71, L–72 L–73, L–78, L–81 and L–98.

This order shall become effective September 25, 1946.

Issued this 20th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

OPINION ACCOMPANYING ORDER NO. 1 UNDER SECTION 7 OF MAXIMUM PRICE REGULATION 601

This order establishes maximum prices for direct mill sales of Venetian blind stock mouldings and revokes all letter orders issued to individual manufacturers by the Office of Price Administration establishing their maximum prices for such mouldings.

Numerous letter orders have been issued under Section 7 of MPR 601 establishing maximum prices for various sizes and species of Venetian blind stock mouldings. Previously it has been necessary for each manufacturer to apply for each size which he proposed to sell. This order lists these sizes and will eliminate the necessity of application each time a different size is manufactured for the first time.

Venetian blind stock mouldings are of a higher grade than regular mouldings. They are graded clear on four sides, whereas regular mouldings are graded clear one face and two edges. Venetian blind mouldings are grading B & Better whereas regular mouldings are substantially lower in grade. Previous industry practice has been to shorten the discounts 5 points for four faced stock and 5 points for B & Better. Special type bundling is required on these mouldings because ordinary methods do not protect the corners of the outer pieces of the bundle from being marred by the string. Since Venetian blind mouldings are exposed on four sides, it is necessary that they be bundled either with tape or corner guards for their protection. Previous industry practices has been to shorten discounts 3 points for special bundling. The individual orders were, therefore, issued establishing maximum prices for Venetian blind stock mouldings at 13 points shorter discount than for Standard mouldings.

Amendments 2 and 5 to MPR 601 granted an increase of four points in the maximum prices of Western Pine and Douglas Fir industrial mouldings, and a 12½ point increase in the maximum prices of house mouldings of these species. Venetian blind mouldings are considered as industrial mouldings and accordingly this order establishes maximum prices at 13 points (5 points for four faced stock, 5 points for B and Better and 3 points for special bundling, in line with industry practice) shorter discounts than the current discounts for industrial mouldings. The increase granted by Amendments 2 and 5 to MPR 601 for industrial mouldings is therefore granted to Venetian blind mouldings by this order, so that the maximum prices for these products will be in line with the general level of prices otherwise established under the regulation.

Some of the letter orders which are revoked by this order provided an addition to the list prices for grooving head rail. Since, prior to the issuance of MPR 601, it was not industry practice to make any addition to the list for this type of groove, this addition has been eliminated.

[F. R. Doc. 46–17203; Filed, Sept. 20, 1946; 11:45 a. m.]

[MPR 591, Corr. to Order 795]

FRASER & JOHNSTON CO.

ADJUSTMENT OF MAXIMUM PRICES

Order No. 795 under section 9 of Maximum Price Regulation No. 591 is corrected in the following respects:

In paragraph (a) On Sales to Dealers price for Model L–201 20 cubic feet the figure "$297.00" should be substituted for figure "$279.00".

This correction shall become effective September 21, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

[F. R. Doc. 46–17024; Filed, Sept. 20, 1946; 9:53 a. m.]

[MPR 53, Order 33]

FATS AND OILS

ADJUSTABLE PRICING

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250, 9328, and 9599 and in accordance with section 1.7 of Maximum Price Regulation 53, *It is ordered:*

(a) Until October 7, 1946, unless a revocation order is issued sooner, any person may deliver or agree to deliver and any person may accept delivery or agree to accept delivery of Pacific Coast sardine oil, crude or hydrogenated, covered by section 16.1 of Maximum Price Regulation 53 at a price to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery: *Provided, however,* That delivery takes place prior to October 7, 1946.

(b) Until October 7, 1946, unless a revocation order is issued sooner, any person may deliver or agree to deliver and any person may accept delivery or agree to accept delivery of raw linseed oil and /or linseed oil products covered by section 7.1 of Maximum Price Regulation 53 at a price to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery: *Provided, however,* That delivery takes place prior to October 7, 1946.

This order shall become effective September 20, 1946.

Issued this 20th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: September 13, 1946.

CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

OPINION ACCOMPANYING ORDER NO. 33 UNDER SECTION 1.7 OF MAXIMUM PRICE REGULATION NO. 53

Representations have been made by the pilchard processing industry that the price of sardine oil, as fixed by the provisions of Maximum Price Regulation No. 53, is inadequate and that this commodity can no longer be produced and sold at such prices without causing financial hardship to the industry. From the preliminary information that has been submitted to the Office of Price Administration, it appears that a study of the financial condition of the industry may support these contentions. Accordingly, in view of the fact that some time must necessarily be consumed in making an adequate study, the accompanying adjustable pricing order is being issued, pending any price increase which may later be granted. This order will enable the industry to continue uninterrupted production and distribution of a commodity essential to industrial production and as a vitamin-carrying animal feed.

Since fish meal is also produced from pilchards, after the oil has been extracted, an adjustable pricing order covering fish meal is being issued simultaneously.

Representations have also been made by crushers of flaxseed that the price of linseed oil, as fixed by the provisions of Maximum Price Regulation No. 53, is inadequate and that this commodity can no longer be produced and sold at such prices without causing hardship to the industry. The basis for this complaint is alleged increases in costs since 1945 and reduced volume. Until a study is made of these increased costs and the ability of the industry to absorb, it has been deemed advisable that an adjustable pricing order be issued, pending any price increase which may later be granted. It is possible that no adjustment will need be granted, but it is necessary to provide all facility to the industry to insure continued production of this commodity which is so essential to the manufacture of paints, varnishes, linoleum and other products.

Since any adjustments, if warranted, should be granted by October 7, 1946, it is made explicit that the adjustable pricing order is automatically terminated for both oils on October 7 or sooner if specific action is taken.

[F. R. Doc. 46-17198; Filed, Sept. 20, 1946; 11:43 a. m.]

[RPS 73, Order 1]

FISH MEAL AND FISH SCRAP

ADJUSTABLE PRICING

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250, 9328, and 9599 and in accordance with § 1363.4 of Revised Price Schedule 73, *It is ordered:*

(a) That any person subject to the provisions of Revised Price Schedule 73 may sell and deliver fish meal, and any person may purchase and accept delivery of fish meal, at the appropriate legal maximum prices in effect at the time of delivery, and in addition, the seller may receive and the purchaser may pay, after delivery, any increase in the maximum prices otherwise applicable to such purchase and sale granted by the Price Administrator under the provisions of Revised Price Schedule 73 between the date of delivery and October 7, 1946.

(b) That this order shall become effective September 20, 1946; and

(c) That this order may be amended or revoked by the Administrator at any time.

Issued this 20th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

Approved: September 13, 1946.

CHARLES F. BRANNAN,
Acting Secretary of Agriculture.

OPINION ACCOMPANYING ORDER NO. 1 UNDER SECTION 1363.4 OF REVISED PRICE SCHEDULE 73

The pilchard processing industry has made representations that maximum prices for sardine oil and fish meal as established by the Price Administrator are inadequate and that these commodities can no longer be produced and sold at such prices without causing financial hardship to the industry. From the preliminary information submitted to the Office of Price Administration, it appears that a study of the financial condition of the industry may support these contentions. Accordingly, in view of the fact that some time must necessarily be consumed in making an adequate study, the accompanying adjustable pricing order is being issued covering fish meal, pending any price increase which may later be granted. This order will enable the industry to continue uninterrupted production and distribution of an ingredient used for the manufacture of animal feed. Since any adjustment, if warranted, should be granted by October 7, 1946, the accompanying order is limited to deliveries of fish meal occurring prior to October 7, 1946.

[F. R. Doc. 46-17199; Filed, Sept. 20, 1946; 11:44 a. m.]

[MPR 592, Amdt. 65 to Order 1]

FLOOR AND WALL TILE

ADJUSTMENT OF MAXIMUM PRICES

An opinion accompanying this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.

Order 1 under section 25 of Maximum Price Regulation 592 is amended in the following respect:

A new Section 2.7 is added to read as follows:

SEC. 2.7 *Maximum prices for manufacturers of floor and wall tile in the County of Los Angeles, California*—(a) *Manufacturers' maximum prices.* The manufacturers' maximum prices established pursuant to Maximum Price Regulation 592 for floor and wall tile produced in the county of Los Angeles, California, may be increased by adding 11.2 percent to the March, 1942 f. o. b. or delivered prices.

(b) *Resellers' maximum prices.* Any jobber or dealer purchasing floor and wall tile for resale in the same form from any manufacturer, who has modified his maximum prices in accordance with paragraph (a) above, may increase his maximum prices, f. o. b. yard or delivered, established by the General Maximum Price Regulation by the percentage increase in cost to him resulting from the increase permitted the manufacturer in paragraph (a) above.

(c) *Manufacturers' individual price adjustments.* (1) Any individual price adjustments granted prior to September 25, 1946, by the Price Administrator or any Regional Administrator to any manufacturer of the products set forth in (a) above, in an amount equal to or less than the increase permitted by this section are hereby revoked.

(2) Any individual adjustments granted prior to September 25, 1946, by the Price Administrator or any Regional Administrator to any manufacturer of the products set forth in (a) above, in an amount greater than the increase permitted by this section are hereby continued in full force and effect; such individual adjustments shall not, however, be further increased by the increases permitted in this section.

This amendment shall become effective September 25, 1946.

Issued this 20th day of September 1946.

JAMES G. ROGERS, Jr.,
Acting Administrator.

OPINION ACCOMPANYING AMENDMENT NO. 65 TO ORDER 1 UNDER MAXIMUM PRICE REGULATION 529

The accompanying Amendment permits floor and wall tile manufacturers located in Los Angeles County, California, to increase by 11.2 percent their maximum prices established pursuant to Maximum Price Regulation 592. Any individual price adjustment granted, prior to the effective date of the accompanying Amendment, in an amount equal to or less than the increase permitted by this Amendment, is revoked. However, where individual price adjustments were granted, prior to the effective date of the accompanying Amendment, in an amount greater than the increase permitted by the accompanying Amendment, they shall continue in effect but shall not be further increased by this action. Ceiling prices for these commodities were originally established under Maximum Price Regulation 592, and predecessor regulations, at the highest prices charged in March, 1942.

Floor and wall tile is produced by five companies in Los Angeles County, California. Complete cost and financial data have been submitted by three companies representing 85 percent of the production in their request for an adjustment in their maximum prices. One of these companies is a multi-line company, the other two, single line. The two single

line companies in the sample account for 60 percent of the production of floor and wall tile in this area.

The area served by producers affected by this Amendment has been determined to constitute a homogeneous producing and marketing area with cross-shipments largely confined within the area. The use of this area for study has been discussed with industry members and generally agreed upon as appropriate.

In determining whether adjustment of maximum prices established for producers in this area is required, the Price Administrator has considered (1) the proportion of total output produced by the manufacturers whose operations are entirely devoted to these products; (2) the earnings position of those manufacturers dependent upon the production of these commodities; (3) the earnings position of those manufacturers as compared with the earnings position of the multi-line producer.

The three companies who submitted cost and financial data have either instituted wage and salary increases approved by the Wage Stabilization Board or have agreed to put such approved increases into effect at such time as the Office of Price Administration takes final action with respect to adjustment of maximum prices.

It is impossible for the Administrator to predict the exact amount of the wage increase yet to be given by the two remaining firms within the area or even to predict that the firms will make wage adjustments. However, inasmuch as the Administrator cannot predict the exact effect of such subsequent wage approvals, he stands ready to re-examine the action at such time as subsequent developments may warrant. Under these circumstances, it appears proper, moreover, for the Office of Price Administration to take final action with respect to adjustment of maximum prices in the light of all approved wage and salary increases, under Executive Order 9697 and the regulations of the Office of Economic Stabilization.

This Office has examined cost and financial data for the most recent available period for the three concerns who represent 85 percent of the production. Similar data for the base period years 1936 to 1939, and the year 1941 were analyzed. The approved wage and salary increases for each producer were reflected into the current data as well as increased cost of materials and rail freight. Analysis of the current data indicated that the industry has been operating at depressed volume when compared to the base period and the most recent normal year, 1941. In order to project future increased volume, total costs have been adjusted to reflect an overhead rate experienced in normal operations. The latter adjustment was effected only for one company, since the other two experienced normal overhead.

The Administrator has found that, after considering the data submitted, earnings on this product are less favorable than in the representative pre-war base period 1936 to 1939. The adjustment of 11.2 percent granted by this action, restores base period average earnings on floor and wall tile operations of all producers, an amount found to be less than that required to restore base period earnings of the single line producers. The adjustment is, accordingly, appropriate under the Administrator's standards where a substantial portion of output is produced by single line firms.

The accompanying Amendment also permits resellers purchasing floor and wall tile for resale in the same form to add to their presently established maximum prices the percentage amount of their increased costs resulting from this adjustment permitted manufacturers. Thus, resellers will continue to realize the same percentage margins.

Prior to the issuance of this Amendment, the Price Administrator has consulted, so far as practicable, with representatives of the industry and has given consideration to their recommendations. The Price Administrator finds that this action is appropriate in accordance with the provisions of the Emergency Price Control Act of 1942, as amended and the Executve Orders of the President.

[F. R. Doc. 46-17200; Filed, Sept. 20, 1946; 11:44 a. m.]

[MPR 594, Amdt. 6 to Order 11]

NASH-KELVINATOR CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 8 of Maximum Price Regulation 594, *It is ordered:*

Order 11 under Maximum Price Regulation 594 is amended in the following respect:

1. Paragraph (a) (4) is amended to read as follows:

(4) *Charge for transportation.* A charge for transportation of the new automobile and extra or optional equipment not to exceed a charge computed in accordance with the method and rates approved by the Office of Price Administration.

This amendment shall be effective September 21, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING AMENDMENT 6 TO ORDER 11 UNDER MAXIMUM PRICE REGULATION 594

The amendment which this opinion accompanies authorizes the applicant when it has prepaid freight to make a charge for transportation computed in accordance with the method and rates to be approved by the Office of Price Administration.

The applicant has acquired an assembly plant in California to which it proposes to ship automobiles in a knocked-down condition and from this plant to ship the assembled automobiles to dealers on the West Coast. The wording of the transportation provision in Order 11, prior to the amendment, would not permit the applicant to make a charge for transportation in such cases in line with charges authorized for competitive companies who have assembly plants in various sections of the country. The amendment which this opinion accompanies will permit correction of this situation.

[F. R. Doc. 46-17202; Filed, Sept. 20, 1946; 11:45 a. m.]

[MPR 594, Amdt. 7 to Order 8]

CHRYSLER CORP.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 9a of Maximum Price Regulation 594; *It is ordered:*

Order No. 8 under Maximum Price Regulation 594 is amended in the following respects:

1. The applicable net wholesale price for the DeSoto S–11 Custom 7 passenger Sedan and Limousine is amended to read as follows:

Model	Description	Net wholesale price
S–11 Custom	7-passenger sedan	$1,369.23
	Limousine	1,458.46

2. The applicable factory retail price for the DeSoto S–11 Custom 7 passenger Sedan and Limousine is amended to read as follows:

Model	Description	Factory retail price
S–11 Custom	7-passenger sedan	$1,802.00
	Limousine	1,919.00

This amendment shall become effective September 21, 1946.

Issued this 20th day of September 1946.

PAUL A. PORTER,
Administrator.

OPINION ACCOMPANYING AMENDMENT 7 TO ORDER 8 UNDER MAXIMUM PRICE REGULATION 594

The Chrysler Corporation proposes to use as standard tire equipment on a DeSoto seven passenger automobile and limousine a larger tire than the one for which a charge is included in the present ceiling prices for such automobiles. The Company has applied for a modification of the maximum prices for these DeSotos to reflect the increased purchased cost of the larger tire. The application was submitted under section 9a of Maximum Price Regulation 594.

The prices for which approval has been requested by the Company have been determined in accordance with section 9a and have, therefore, been authorized in this action as maximum prices.

[F. R. Doc. 46-17201; Filed, Sept. 20, 1946; 11:44 a. m.]